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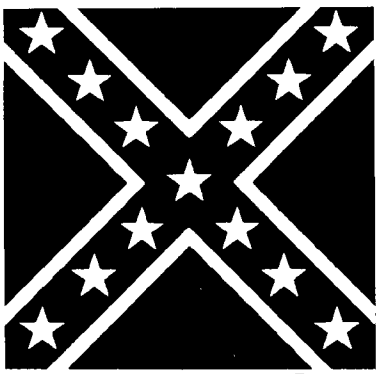

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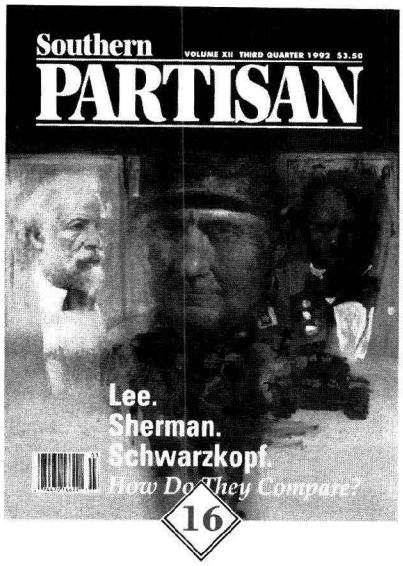

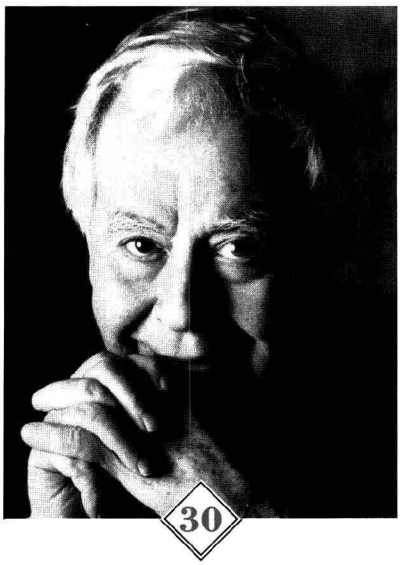

Volume XII • Third Quarter 1992

CONTENTS

Cover

16 DESERT STORM: Robert E. Lee or William T. Sherman?
Major Jeffrey Addicott takes a look at Operation Desert Storm through the eyes of the Christian General and the original Ugly American.

Features

25 THE SOUTHERN HERITAGE OF JULIAN GREEN
France's greatest living novelist is an unrepentant Confederate. Alphonse Vinh tells the story of a very much alive Julian Green—from World War I ambulance driver to member of the exclusive Academie Francais.

30 PARTISAN CONVERSATION: Horton Foote
Southern Partisan is on the other Foote this quarter with an intimate visit among the pecan trees with one of the South's best playwrights.

35 SPECIAL REPORT: THE SUPREME COURT
A VIRGINIAN LOOKS AT THE SUPREME COURT—As a new Democratic president takes office, several key legal doctrines are in limbo. Keister Greer explains what is at stake.
THE SOUTH AND THE SUPREME COURT
Bryant Burroughs, in a more historical view, traces the impact of Southern justices and Southern verdicts.

Criticus

CRITICUS *BOOKS*
44 The Timeless Andrew Lytle by Andrew Baird
Reviewed: Andrew Lytle's *Kristin: A Reading*

46 The Will to Power by Paul Gottfried
Reviewed: Garry Will's *Lincoln at Gettysburg*

48 Reasonable Experience by John S. Baker, Jr.
Reviewed: M.E. Bradford's *Against the Barbarians*

Columns and Departments

2 Partisan Letters
5 Partisan View *Richard Quinn*
6 Trivium
7 From Behind Enemy Lines *Gordon Jackson*
8 Obiter Dicta
9 Scalawag Award
10 Partisan 'Toons
12 CSA Today
43 Southern Sampler *William Freehoff*
43 Anguished English *Richard Lederer*
50 Booknotes
54 The Smoke Never Clears *Rod Gragg*
55 Classified
56 Dividing Line *Samuel Francis*

cover illustration by Randall McKissick

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PARTISAN letters

WELL SAID

Gentlemen:

Harry V. Jaffa, author of one of the very best books on Abraham Lincoln (*Crisis of the House Divided*), apparently must resort to demonizing the Confederacy—as well as executing ad hominem attacks on its defenders—in order to make his hero seem all the more magnificent. He accomplishes all this by reducing Lincoln's war to a matter of slavery versus freedom, while asserting that most of those who do not bend to his opinions are either ignorant or "just liars."

In truth, while the expansion of slavery was indeed the point of controversy in the years immediately preceding the war of Northern aggression, that controversy must be seen within the context of antebellum politics, which were characterized by the clash of an agrarian culture with one becoming increasingly industrial.

The agrarians, following Jefferson, held that their culture of the land was a *necessary* condition for the kind of republican virtue demanded (and generally taken for granted) by the Founding Fathers. As John Donald Wade put it in the Southern agrarian manifesto *I'll Take My Stand*, published 65 years after General Lee surrendered at Appomattox, "The test of a society is the kind of men it produces." So it is; and, by this standard, the Old South can stand against the greatest civilizations the world has ever known.

Even today, whenever we look to find people with generous hearts, willing to serve their country, teach wisdom in our classrooms, honor God and produce exceptional literature, our best hope of finding such types lies in a glance toward Dixie. It is not putting too fine a spin on it to say that the Confederates marched and fought to keep their land from becoming like New York City.

The great tragedy of the South was that, in defending the agrarian life, as it was historically manifested in the South, slavery as an institution also demanded consideration. It was, as Jefferson said, like holding a wolf by the ears: One could neither keep holding him nor let him go. In time, when abolitionists threatened the old agrarian order from the security of their New England homes (many of which were built from the profits of finishing raw materials picked by slave labor) and when murder itself was on the wish list of abolitionist fanatics such as John Brown and his backers, the South was just about fed up with the whole business.

When the first avowedly sectional party in American history captured the executive mansion in 1860, the South had had enough. Her very culture was threatened by what would eventually become a majority of states driven by industrial interest.

Determined to remove herself from a federal union that could only become more hostile to her culture and way of life, the South set out on her own. Some states, such as Virginia, had made their right to do this explicit in their ratification of the Constitution of 1787. The South's case, in short, was that it was the North that had changed

since the adoption of the Constitution. And the most recent scholarship on this matter supports this view (see the concluding chapter of James McPherson's *Battle Cry of Freedom*).

Mr. Jaffa may wish to praise Lincoln to the skies for the "new birth of freedom" that he midwifed with the help of bayonets and the waging of total war; but let him never contend that Lincoln preserved the union as it was meant to be. For that is the real lie. Whether it is a noble one or not in all likelihood depends upon one's evaluation of American history since the day that Lincoln launched us forth on that never-ending, soul-deadening, junk-producing quest of equality.

Brenan R. Nierman
Arlington, Virginia

YANKEES AWEIGH

Gentlemen:

I thoroughly enjoyed Partisan Conversation with Shelby Foote in *Southern Partisan* Volume XII, First Quarter 1992. One comment that caught my eye was Mr. Foote's observation on the Ken Burns "Civil War" special: "the navy didn't have enough share in the picture."

I have concluded after exhaustive study of the War of Northern Aggression that the Federal navy spelled the difference between victory and defeat for the Confederacy. Had it not been for the naval blockade of Southern ports, the Confederacy could have either held out indefinitely by fighting a defensive war, or been victorious in a counter-invasion of the north. But why was the blockade successful and what happened to the Confederate Navy?

At the time of secession, a significant number of very qualified army officers made the gut-wrenching decision to resign their commissions and go south—most because the South was their ancestral home, and because they believed in the righteousness of the Confederate Cause, but some northern-born officers also came South. Apparently, a similar migration did not occur among the ranks of the federal navy because only a handful of experienced and capable navy officers donned the gray. This put the naval advantage on the side of Lincoln and doomed the Confederacy to a slow death caused by a lack of basic war-fighting supplies from cannon to hardtack.

I have a hunch that fewer Southerners went to the Naval Academy because the naval service was more suited to the sons of families connected to the major northern ports of Philadelphia, New York, and Boston. Army service, on the other hand, was considered to be a tradition among the aristocratic young blades of Dixie. If only we had a few more sea heroes like Raphael Semmes, skipper of the *CSS Alabama*!

Had the blockade been less effective, the Confederacy would have been able to supply the forces of Lee, Jackson, Forrest, and dozens of others with the means to keep taking the battle to the Yankees until they were sick of counting their dead and sued for peace. Even with the blockade, we very nearly succeeded; the New York draft riots in July 1863 showed that many Northerners were weary of the fighting and no longer believed in Lincoln.

Thus, I have concluded that the federal victory in 1865 was due almost entirely to their blockade of Southern ports. Had it not been for that, Confederate land forces, which were infinitely better led than the rabble in blue, would surely have triumphed.

Ken Burns' failure to recognize the key role of the navy in the federal victory, even more than his obsessive preoccupation with the slavery issue, shows his abysmal ignorance of the subject he sought to illuminate. Mr. Foote was much too kind, but his observation may well be an intentional understatement.

Tom Filkins
Manassas, Virginia

HOSPITABLE

Gentlemen:

I have been to the States two different times, both North and South, but Dixie stole my heart.

The *Southern Partisan* is great and the contents first class. I was really upset by "Furl That Banner" by Ludwell Johnson, that evil movements and groups try to stop you folks from feeling proud of your Southern past. I hardly could believe what I was reading...trying to stop you from the raising the Stars and Bars, Bonnie Blue Flag, or other Confederate Flags at important monuments, etc. or even trying to stop folks from singing "Dixie." That could never have happened here in Europe. Think about stopping the Scottish from singing "Amazing Grace," or pull down the Napoleon monuments just because the English had a hard time with him. And to dig up N. B. Forrest's body and his whole family just because some people feel like changing the name of the park. If you get scared of one single bronze statue you've got serious problems.

What gives those people the right to change your tradition and heritage again? They never try to force the North to stop singing "The Battle Hymn Of The Republic," or "Yankee Doodle Dandy," or forbid some to wear Malcolm X t-

shirts! No, you folks go on being proud over your Appalachian Mountains in North Carolina, the green grass in Tennessee, the lakes in Arkansas, the swamps in Florida and Louisiana, and the tobacco fields in Mississippi and Alabama. I know why I'm going back there, for the food, the folk music, and Southern hospitality.

Thomas Johnsson
Stockholm, Sweden

ILLIOTIC

Gentlemen:

I am writing this on the eve of national election day, 1992. I have listened to the last of the campaign speeches, and the end brings merciful relief from the weary months of oratory alternately vapid and vicious from George Bush. I am reflecting upon him as a president and *Southern Partisan* as a publication to which I have a gift subscription. The similarity in tone between him and you is striking. Both are like Thersites in the *Iliad*, of whom it was said by one of our poets that his gall coined slanders like a mint.

You are not at all representative of the Southern people I know, and with all my heart I wish that you were. You seem bent upon keeping old wounds fresh and bleeding. May God give you a better mind.

Carroll E. Simcox
Hendersonville, North Carolina

HELD OVER

Gentlemen:

I am very concerned about the onslaught being received by our Battle Flag—I have been amazed at the attitudes of many good people, when they see this symbol. I use it on my car, my luggage and other places. To me, it speaks of my Southern heritage and I am proud of the past and how our people have borne the continued pressures, ridicule and infiltration from Yankee sources.

Growing up in rural Virginia, I often wondered why we were as we were in those days....so dirt-poor and almost made to feel we were second-class citizens. Now I realize that this was mainly a holdover from reconstruction. Our Southern States have left no blot or stain on the honor and chivalry of their people.

Please, in the name of the glory that was the South, begin some campaign to both make our battle flag identified with that which was best in the South, not the KKK or other groups, but the mainstream of the real South.

Thomas E. Northen
Pinellas Park, Florida

IT IS US

Gentlemen:

Like most Southern children, I was educated in the state public schools on the rightness of the Union's crusade to end slavery i n 1861-1865, the rightness of Mr. Lincoln's actions, and the evilness of states' rights as represented by the Confederate States of America. Some small part of me held the thought all these years that such ideas had to be bogus, since I realized that the victors wrote history: not the vanquished.

I have since come to realize that the central question of the Southern Rebellion, or the Revolution of 1861 was: Who will run the Union? The several states, each sovereign, but united; or a strong central federal government, unto which all are subordinate? I believe we have the answer.

My ancestors fought on both sides of the question, in blue and gray. I think I have the answer, as do all of us who subscribe. I think we are all beginning to see the folly of a strong, central federal government, it runs amok and insinuates itself into every action, every consideration, into the very fabric of our daily lives. Certainly the authors of our Constitution lie uneasy in their graves when they see how their dream has wandered from its intended path.

Your publication gives eloquent voice to the fact that we have allowed our government to get away from us. It is not "their" fault; to quote Walt Kelly "We have seen the enemy, and they is us."

H. J. Vercoe
Wilmington, North Carolina

HOME!

Gentlemen:

I'm coming home. Can't believe it, but it's true. Your publication was part of the motivation, convinced me I was nuts to have ever adventured up here with the weird folks who run this place!

What a relief it will be to be able to go into a restaurant and get decent food. I've been places where war was going on and found friendlier people around than I encounter up here. It will also be good to get back where people are not merely tolerated for having certain beliefs, opinions, and religious activities, but rather encouraged to think for themselves.

Yes, I'm coming home—and not too late.

John C. Freeman, M.D.
White City, Oregon

PARTISAN view

Preliminary Thoughts on Clinton

by Richard Quinn

Bill Clinton has been fawned over by the media as the new Jack Kennedy, the mystical heir to Camelot. And Clinton certainly seems to encourage the comparison, both by his rhetoric and through his social pleasures.

Others have compared Clinton to Jimmy Carter—a sappy, smiley Southern Governor willing to cater to the special interest groups who control the nominating power of the Democratic Party.

I don't think either comparison works. Unlike Carter, Clinton is a very crafty politician, a maneuverer who will probably not make the goofy mistakes Carter made that alienated even members of his own party. Unlike Kennedy, Clinton's liberalism is the type that springs from envy, from growing up poor. His "soak-the-rich" campaign of 1992 was the classic buckra appeal. That's why he didn't do very well in the South. We've heard that line before.

Clinton, I fear, is far more like Lyndon Johnson, a consummate politician, dangerously gifted in the art of compromise. Unlike Kennedy, unlike Carter, Clinton may be a politician, more like LBJ, who can actually break the gridlock and get his proposals passed into law.

London Johnson was the founding father of the modern welfare state. Prior to 1964, the several states still had certain meaningful authorities. Federalism was, if not well, at least alive. Johnson, who broke the gridlock, also broke the back of local government.

Today, thanks to LBJ, only the South is required to comply with the provisions of the Voting Rights Act, even though racial hatred and violence have consistently been more in evidence elsewhere for the past thirty years. And it was the Great Society that planted the seeds of the federal deficit, at a time when all the old Democrats (who now support Clinton) were arguing that deficit spending was perfectly okay.

Under the banner of sweet-sounding euphemisms (equal rights, affirmative action, fighting a war against poverty and so on) the Johnson years produced volumes of federal law and a class of bureaucrats who have reproduced themselves geometrically. The six years from 1964-70 was probably as damaging to Constitutional government in America as the Conflict of 1861-65. None of the soldiers who marched under Grant carried weapons as damaging as Lyndon Johnson's pen.

We can only hope that Clinton will be a less effective politician. But the signs are not good. He has a clear majority in both the Senate and the House of Representatives, a cabinet full of ideologues and a passion to make history stand up and take notice. Pat Buchanan is right (see our last issue). The election of Clinton marks the beginning of a cultural war in America. The country has elected a President without really knowing what he stands for. For example, post-election polls registered a collective surprise from across America when they heard President-elect Clinton say that he intended to sign an executive order allowing homosexuals to serve in the military. Wait a minute, they seemed to say, that's not the kind of change we had in mind. Americans are in for more surprises still, when we find out how Ron Brown and Secretary Shalala will be running the bureaucracy in Washington. These people are dedicated radicals. Ron Brown, remember, managed Jesse Jackson's campaign for President in 1988. Then, as head of the Democratic Party, Brown pumped $1.6 million dollars of Party funds into Jackson's Rainbow Coalition in 1992 for "voter turnout" services for Clinton. During this time Clinton publicly feuded with Jackson just a little to give conservative Democrats the idea that he was willing to stand up to Jackson. The cynical sophistication of this strategy underscores the point that Clinton is a man, like Lyndon Johnson, who never hesitates to dissemble, to manipulate and deceive, if it serves his purpose.

You can now expect Jackson and others to renew the effort to achieve D.C. statehood, with full support from Clinton and his Administration. That will be but one of the battles fought in the culture war of 1993-96. The best hope we have in resisting the Clinton agenda may, ironically, be Clinton himself. He does appear to have a sensitive needle to measure the direction of political winds. For example, when he issued his first statement, with no equivocation, that he would sign an executive order allowing homosexuals to serve in the military, there was a huge public outcry. Immediately he began to modulate. Of course, he said, I won't do it right away. The matter does require careful study. If the new President is a political weathervane, then the best weapon to use is a wind tunnel. So stay with us. The Southwind will blow from these pages. ☆

Richard Quinn is the Editor-In-Chief of *Southern Partisan* magazine.

T·R·I·V·I·U·M

Her Name Was Lady
by P. J. Byrnes

Her name was Lady, and she was an old, old woman when I was a boy. She had been born a slave and remembered the day Federal officers rode into the quarters where she lived and read the Emancipation Proclamation. She recalled standing there, her mother holding her hand tightly, while the "Yankee boss" read the words to the assembled crowd of blacks and whites.

"I wasn't stud'in' freedom," she said. After the officers rode out and left them all to fend for themselves, she continued to work for the McCain family, just as her parents and grandparents had done, doing the same housework, living about the same kind of life. This was in Virginia before the turn of the century.

I must have been about ten years old when she told me the story. My nurse, whose name was Belle, had come by to pay her respects to Lady and sing duets with her—"sad Jesus songs," as I called them.

"Tell P.J. about when you saw him."

"I mos' forgot it all." "Tell him," Belle insisted. "Who did you see?" I asked. "I saw Robert E. Lee," she said. Now that interested me! I had already read a life of Lee, a tattered book my father had owned when he was a boy, so I knew he was a formidable figure. I also knew he had been a saint as well as a great warrior. The book also said he had freed his slaves long before the War.

"What did he look like?" I said. "Did he have a white beard?" "He looked just like he do in pictures," she said. "He looked fine." "Where did you see him?" I asked, a skeptic even at the age of ten. I knew all about Santa Claus. She said she had seen Lee in Richmond, riding down the street on his "dandy" horse, while all the people stood on the sidewalk and waved.

"He holt the reins like this," she said, making a fist of her knotty old hands, "and he kicked the horse's sides with his spurs, and that horse he rare back on his legs and he paw the air. And the Gin'ral, he take off his hat and he wave it. He wave it to the young ladies, and then he wave it to me."

"Did he say anything?" I said. "Did he speak to you?" "Oh, yes. He stop his horse in front of me and he smile and he say 'Hello Lady.'" "That's how I got my name," she said. "Mama called me Nanalee, but after the Gin'ral called me 'Lady,' so did my Mama and my Daddy and my sisters and my brother and all the rest."

That night I told the story to my father, who, for a change, seemed interested in what I had to say. The weekend we drove over to the McCain's house, and the whole family had our picture taken with Lady. She must have been forewarned, because when we got there, she had on a gray dress and a black straw hat that perched on top of her head like a bird's nest.

A few days ago, while going through a box of photographs, I found that snapshot, taken in 1956. I'm the only one left now. My father dropped dead of a stroke a few years later, and my mother died of cancer in her late sixties. Buz McCain was killed in an automobile accident when he was 80, and his wife, always frail, died a year later. As a matter of fact, all of my parents' friends are dead now, with one exception, a doctor who at 92 still practices a little medicine.

As for me, I'm getting old too. I have only twenty teeth left, and I can barely see my own face in the mirror. Lately I find myself remembering things that happened 50 years ago and forgetting where I went and what I did yesterday. They say it happens to everybody, a trick time plays to ease us out of this world.

Yet when I look at that photograph, I can't help thinking how young we are as as people. Robert E. Lee's father was a Revolutionary General, and I knew a slave who talked with Marse Robert himself, was even named by him. And as late as 1956 we still had that sense of continuity—black and white, old and young, seated together under an oak tree to commemorate the figure of General Lee, cutting a caper with his horse, even as the shadows gathered around him.

Today—when the forces of change are rewriting history to justify the Second American Revolution, the one that will separate and destroy us as a people—I can look at that picture and remember that Southerners (most Southerners) once understood each other and shared the same vision of the past. And as I search those long-dead faces, I find it hard to forgive The New Breed of Americans—Yankee and Southern alike, who, out of envy and intellectual hatred, have lied about our region and set race against race, generation against generation. ☆

From Behind Enemy Lines

WASHINGTON REPORT

On To '96!
by Gordon Jackson

The Bush administration got what it so richly deserved (a fate some readers may recall envisioned in this space after the disastrous budget deal of 1990). Unfortunately, the country is going to get its just desserts as well for at least the next four years. Assuming the predictable happens and his government is captured by Hillary and the lawyer hordes, 1996 should present a reasonably good opportunity for Republican renaissance.

The front runner, as anointed by his sweetheart press—Jack Kemp—seems determined to try to do an end run around the South. Though he indulges liberally in the rhetoric of tolerance, the one perspective he cannot seem to abide is that sort of conservatism, typical of the South, which venerates and seeks to preserve tradition. He really seems to believe, as many of his callow advisers do, that reverence for tradition is just a thin disguise for bigotry. He does not appear able to reconcile intellectually his commendable optimism and emphasis on economic growth with respect for old ways of doing things and the concept of limited government; but what's worse is he just isn't trying.

The South could be the avenue of opportunity for the other committed supply sider in the race, Pete DuPont. The former governor of Delaware shares Kemp's dedication to cutting our taxes, and like Kemp, is truly engaged by ideas and committed to campaigning with legitimate issues. Unlike Kemp, he has not deliberately antagonized the South. It won't be an easy sell, though: Even more than George Bush, DuPont is a preppy aristocrat who courts the Bubba vote only at the risk of appearing absurd.

A candidate who need make no effort to distinguish himself from anyone else is Pat Buchanan, a man whose ideas need little further clarification in these pages. I share the *Southern Partisan* editors' enthusiasm for Buchanan, with minor reservations about his emphasis on economic nationalism and his characterization of this country's moral conundrums as a religious war. I think secular America (semi-secularized is perhaps a more apt term) is genuinely trying to get things figured out. They want their kids to grow up in a decent, morally upright America too; they need leadership too.

I certainly don't buy the media conventional wisdom that Buchanan's speech to the Republican convention was divisive and a drag on the ticket. Bush got his biggest bump upwards in the polls after the first night when Buchanan and Ronald Reagan spoke. But Buchanan might do well to incorporate just a tad of the inclusiveness and optimism that always characterized Reagan's rhetoric, even as he was lambasting the levelers and insurrectionists.

Another candidate who probably will attempt to secure a Southern base first is Texas Senator Phil Gramm. He's ambitious even by Washington standards, mean as a rattlesnake, and didn't precisely distinguish himself as a bastion of principles in the aforementioned budget struggles of 1990. Notwithstanding these drawbacks, he's a solid conservative who has a knack for getting things done in a hostile Democratic congress, and a trained economist who, nonetheless, can think sensibly about economic issues. William Bennett, intellectual without portfolio and talk show star, will probably throw his hat in the ring. Though associated with a neoconservative perspective that does not exactly hold up the South as a lodestar, he may find Southern support. He's laid back in manner, thoughtful on a wide range of issues, learned, and quite engaging on the talk shows. He will have to rise above the internecine struggles of conservatism (calling Buchanan a fascist during the primaries didn't help) to have any chance.

And then, of course, Dan Quayle will probably be game for a little more kicking around three years hence. Of all the Republicans, he has probably best tended his connections in all camps, including Southern conservatives. I doubt he'll start out as front-runner (though he undoubtedly will be able to raise plenty of money), but he might emerge from the primaries as a compromise candidate of sorts—the least objectionable to all Republicans. He'll still need an image makeover to be electable nationally.

Those are six of the conservatives who probably will be vying for Southern Republicans' attention in '96. There's some real intellectual power there. One of the intellectual problems they should be addressing is how the cultural traditions of days gone by, still respected and observed in the South, can be reconciled with a growing, dynamic, pluralistic opportunity society. Whoever figures out an answer will probably take the South and the election. ☆

Obiter Dicta

Flag Fact

In December, the USA TODAY/CNN/Gallup organization conducted a poll that you probably haven't heard about. Apparently, the results didn't turn out to be exactly what the editors had in mind, so they published the findings in a single, one inch paragraph with no headline. Here are the details:

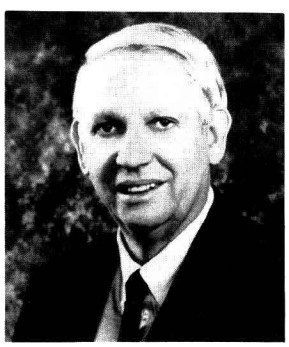
A national poll was conducted among 1,005 adults (giving the findings a 3% margin of error). Sixty-nine percent said that the Confederate Flag symbolizes Southern pride; only 22% said it symbolized racism. If Clinton's 43% was a landslide, what is this?

Where Do They Stand?

We thought you'd like to see where the Governors stand in the States where a controversy is now brewing over the official use of the Confederate flag. Four Southern states still display the Confederate battle flag.

Georgia and Alabama are at the center of the controversy right now. Governor Zell Miller of Georgia, in an effort to appease the 1996 Atlanta Olympics Committee, is asking that the State flag be redesigned so as to remove the Confederate symbol. And Governor Guy Hunt of Alabama has decided to continue flying the Confederate flag atop the newly renovated State Capitol building. Periodic efforts are also made in South Carolina and Mississippi to remove the battle flag, all (so far) unsuccessful.

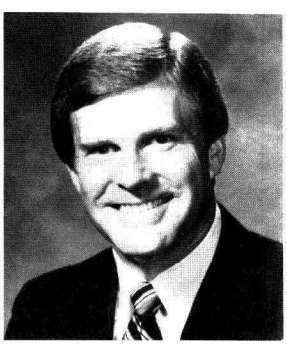
Here is what each Governor has had to say:



ALABAMA
Governor Guy Hunt
(through his press office):
"Polls have shown most Alabamans want the flag to fly above the Capitol because that's where the Confederacy was born...[If those who want to remove the flag] can develop a statewide consensus [the Governor might reconsider]. He's made his decision and he's going to stick with it."

GEORGIA
Governor Zell Miller:
"I want the world to see Georgia as a vibrant, growing state that is moving ahead....What we fly today is not an enduring symbol if our heritage, but the fighting flag if those who wanted to preserve a segregated South in the face of the civil rights movement....That is why I will introduce a bill...changing the Georgia flag back to the pre-1956 flag in the next session of the General Assembly."

MISSISSIPPI
Governor Kirk Fordice:
"I don't think there is any impetus for us to follow what is going on in Georgia. We're not worried about impressing anybody for the Olympics...It's no segregation symbol in Mississippi. It goes back to our beginning."



SOUTH CAROLINA
Governor Carroll Campbell:
Has taken the position that the flag was installed by a legislative resolution and therefore is a legislative issue in which he does not intend to get involved. When asked directly by a reporter in 1986 whether he supported the continued flying of the Confederate flag over the Capitol building he said he regarded the flag as a matter of "history and heritage."

Home to Victory

Roy Claxton Acuff—Sept. 15, 1903-Nov. 23, 1992

Roy Acuff failed only twice that I know of. He did not become a professional baseball player; sunstroke pre-

vented that. And he did not become governor of Tennessee though he ran for it in 1948 like the Wabash Cannonball. Voters found that his music was better than his speeches.

As outfielder or governor, he would have been a tremendous loss to country music.

He barnstormed in the beginning and finally, in 1938, cracked the Grand Ole Opry where he was a fixture until just before his death. Before Acuff, the Opry had had bands with singers; with him it had a singer with a band. In a year he brought the Opry an oddity for the time, a female banjo picker, Rachel Veach. To preserve Nashville decorum, he had to bill her as the sister of band member Pete (Bashful Brother Oswald) Kirby.

Acuff fiddled and sang, in his hard country tenor, such favorites as "The Great Speckled Bird" and "The Wabash Cannonball" for Opry audiences for nearly fifty years. Between numbers, he balanced his bow on his chin. And in 1974, he tried to teach the president to Yo-Yo, at Opryland.

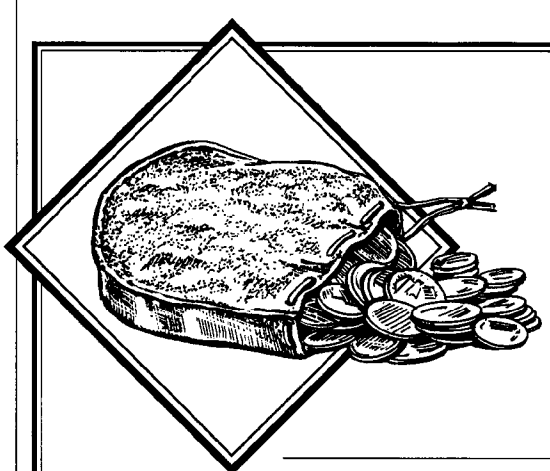
Since it was nearly impossible to copyright country music before World War II, he wrote many of his songs on postcards and mailed them to himself in hopes that canceled stamps would prove his ownership. That gave him and his wife Mildred and idea—a fold-out post-card folio of Acuff songs. They sold nearly a million copies for twenty-five cents each in 1941. The copyright problem led him to throw in with Fred Rose, in 1942, to establish Nashville's premier publishing house, Acuff-Rose, an outfit which helped solve copyright issues for both country and black composers/performers.

Always known to be honorable and generous, Acuff performed for troops overseas, supported struggling musicians (Hank Williams among them), and made generous contributions to folks back home around Maynardville, Tennessee. He stood for the wholesome side of country music, leaving the "live fast, die young" theme to Williams and a number of others.

Among his most important honors was his induction into the Country Music Hall of Fame; he was the first to go in while still alive. Second to that must have been a report that Japanese soldiers, during a Banzai charge on Okinawa, yelled, "To hell with President Roosevelt, to hell with Babe Ruth, to hell with Roy Acuff!" That story has its truth even if the Japanese must have been nearly out of breath as the shooting started.

His good influences on country music and on this country's culture have been lasting already. We trust that they will continue.

—Bill Koon is the author of the standard biography of Hank Williams.



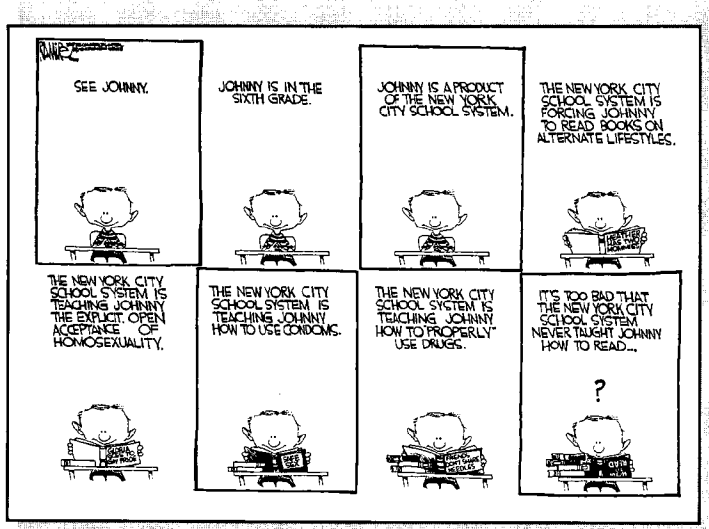
Scalawag Award

Our Scalawag this time probably would have made a colorful waitress at the Waffle House. Instead she ended up as Governor of Texas. With the sort of booze–wasted voice and coarse laugh that can be heard in barrooms across Southwestern America, Governor Richards has never hesitated to speak her mind. She has Ross Perot's Texas–bred flair for one–liners.

And she can be funny. We have often been charmed by her sharp tongue, her massive application of lipstick and her frozen albino hair. Even watching her on television, you can almost smell the cheap perfume.

But now Ms. Richard's has gone too far. Earlier this year, at a celebration in Austin, Texas, as the sun was setting across Town Lake, Governor Richards decided to narrate "an Ode to Abraham Lincoln." She therefore becomes our very first female Scalawag. Let it never be said that the Southern Partisan doesn't give equal treatment to women.

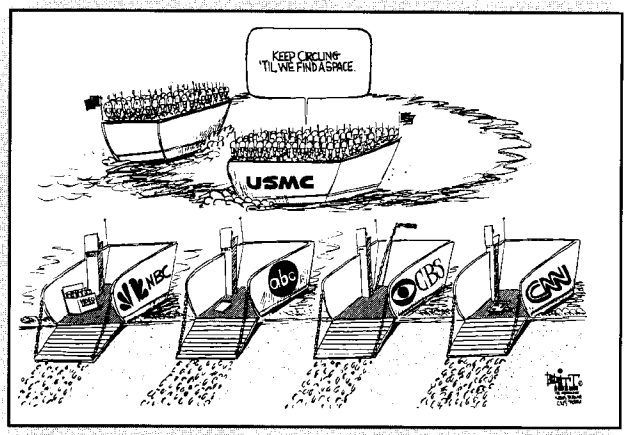
PARTISAN *'toons*

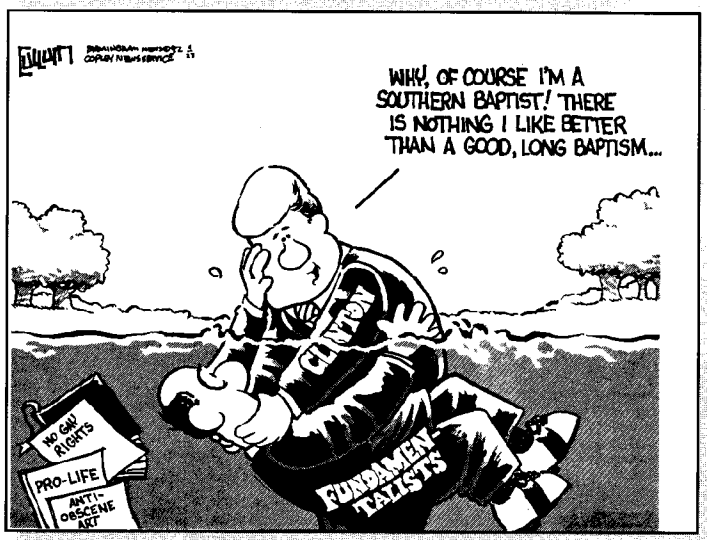

SEE JOHNNY.
JOHNNY IS IN THE SIXTH GRADE.
JOHNNY IS A PRODUCT OF THE NEW YORK CITY SCHOOL SYSTEM.
THE NEW YORK CITY SCHOOL SYSTEM IS FORCING JOHNNY TO READ BOOKS ON ALTERNATE LIFESTYLES.
THE NEW YORK CITY SCHOOL SYSTEM IS TEACHING JOHNNY THE EXPLICIT, OPEN ACCEPTANCE OF HOMOSEXUALITY.
THE NEW YORK CITY SCHOOL SYSTEM IS TEACHING JOHNNY HOW TO USE CONDOMS.
THE NEW YORK CITY SCHOOL SYSTEM IS TEACHING JOHNNY HOW TO PROPERLY USE DRUGS.
IT'S TOO BAD THAT THE NEW YORK CITY SCHOOL SYSTEM NEVER TAUGHT JOHNNY HOW TO READ...
?

RICHMOND TIMES-DISPATCH
COPLEY NEWS SERVICE
GORRELL

THE CLINTON MANDATE
(SHOWN ACTUAL SIZE)

S. KELLEY
NO THANKS. I'M NOT THAT HUNGRY.
MRE
MEAL READY TO EAT


KEEP CIRCLING 'TIL WE FIND A SPACE.
USMC
NBC
abc
CBS
CNN


WHY, OF COURSE I'M A SOUTHERN BAPTIST! THERE IS NOTHING I LIKE BETTER THAN A GOOD, LONG BAPTISM...
CLINTON
NO GAY RIGHTS
PRO-LIFE
ANTI-OBSCENE ART
FUNDAMENTALISTS

WOMEN PRIESTS? HELL, HELL... WHAT'S NEXT? GAYS IN THE MILITARY?
EXIT

C.S.A. *today*

Alabama

Stay Tuned

Word comes from Auburn that Madison Jones, America's finest novelist, is working on a new book, a narrative that is a real departure from his earlier works. In this one, according to our source, the protagonist isn't killed by law enforcement officials and doesn't commit suicide. In fact, the story is rumored to be almost upbeat. Of course, you never know what the final version will look like. Given the opportunity, Jones could turn *Rebecca of Sunnybrook Farm* into a dark and lurid tale of rural violence. Whatever the outcome, the appearance of a new Jones novel will be a major literary event.

Arkansas

Hoods on the Highway

Update.

It's one of those heart-warming stories, the kind that Dan Rather likes to feature every so often at the close of *The CBS Evening News*.

The would-be parents want so desperately to adopt, more so, really than others who have been granted the privilege without significant objection. But hard-hearted state authorities say, "Sorry you don't qualify. You're unfit."

"Why?" the would-be parents say. "Just because you think we're not respectable?"

"That's about it," say state authorities, cold-eyed and tight-lipped.

In desperation, the would-be parents take their case to a U. S. District court, where the judge orders the State of Arkansas to allow the adoption after all. State authorities huddle to determine whether or not to appeal. Finally, they come forward, jaws set, and announce that they give up. They won't appeal the case.

Ordinarily Dan Rather would end the story with his best warm smile, as the happy couple scooped up their blonde-haired, blue-eyed boy and carried him out of the courtroom.

In this case, however, there is no ingenuous child. The "adoptee" is Arkansas Highway 65. And the would-be parents are the membership of the Grand Knights of the Ku Klux Klan, who are now free to participate in Arkansas's "Adopt-A-Highway" program. They can even put up a sign identifying their one-mile section.

Now you know why Dan Rather didn't pick up this human interest story.

Florida

Migrant Violence

The American Automobile Association lifted its warning against travel on Florida's section of Interstate 295 after the National Guard and the Highway Patrol had made 20 arrests and halted the sniper attacks plaguing motorists. Six youths have been

charged with either shooting or throwing rocks at cars traveling the Interstate.

One native Floridian said of the incidents: "Too little and too late. We should have started shooting them when they first came down here in the 1930s."

Georgia

Bill Take Note

Paul Coverdell's victory over Wyche Fowler was a little late bonus to conservative Southerners, who won a great victory in North Carolina (Lauch Faircloth defeated Terry Sanford) and lost a heartbreaker in South Carolina (Ernest Hollings squeaked by Tommy Hartnett). Fowler has been one of the more liberal Southerners in the Senate, and his defeat constitutes one more step in the direction of political independence. Just as the moderate wing of the Republican Party can no longer depend on Georgia in presidential elections, so the liberal wing of the Democratic Party must finally recognize that simply running as a Democrat won't ensure your election to Congress.

Bill Clinton, who campaigned hard for Fowler, may have to reconsider his strategy in the light of this instructive election.

Kentucky

It Takes A Hero

Kentucky Colonel Ron Ray—a real colonel rather than an honorary one—has played a major role in two of the most important confrontations of recent months: the debates over women in combat and homosexuals in the military. As a member of the President's Commission on the Assignment of Women in the Armed Forces, Ray is said to have been key in persuading fellow commissioners to reject almost all proposals to turn American women into cannon fodder. An experienced military man who is also articulate, he helped convince several of his colleagues to change their minds and vote with the majority.

He then turned to the growing controversy over the admission of homosexuals in the military and wrote a compelling brief in favor of retaining the current policy, which has begun to sway even former advocates of dropping the ban. If the military is spared from this disastrous shift in policy, Ray will deserve a significant measure of the credit.

Louisiana

The Thunder Rolls

Over the last few years, officers of the law have been involved in crimes of every sort—rape, arson, armed robbery, murder. But recently in Slidell, three lawmen may have hit rock bottom. They were charged with forcing people out of line so they could be first to buy tickets for a Garth Brooks concert.

Some citizens are openly advocating a civilian review board. Others are talking behind closed doors about more desperate remedies.

Maryland

Valuing Family

Carter Clews, political activist and outspoken talk-show host personality, has announced the formation of a lobbying group based in Washington to defend and promote parental rights, particularly in dealings with the public school system.

Clews intends to push national legislation to prohibit schools from asking children invasive questions about their home life and their social and political attitudes. He also wants to require teachers to tell parents exactly what's going on in the classroom. A number of local parent organizations have sprung up in the wake of increasing attempts on the part of the educational establishment to promote "gay rights" and other politically correct causes. Clews hopes his organization will be their voice in Washington.

Mississippi

Our Man Kirk

It seems like folks from Mississippi can't say anything these days without getting in-

to trouble—even if it's the truth.

A case in point is Governor Kirk Fordice's recent statement, at a Republican governor's press conference, that the United States is a "Christian nation." Now a recent poll published in the *New York Times*, which has never made a mistake in its magisterial life, reported that 86.5% of Americans identify with one of the many Christian religious denominations. If you want a comparison, consider that only 83% of the of the citizens of Israel call themselves Jews. So how can you say that Israel is a Jewish nation and not be allowed to say that America is a Christian nation?

Everybody jumped on Fordice's back, beginning with Governor Carroll Campbell of South Carolina. Next Republican National Committee Chairman Rich Bond, no doubt emboldened by George Bush's recent showing, expressed his official disapproval of what the Governor had said, thereby further alienating the GOPs evangelical base. Then all the usual people chimed: Martin Marty—"Christian nation' is a problem"; People for the American Way—"This incident shows the stubborn staying power of intolerance even in an era of change"; *The Washington Post*—"The phrase 'Christian nation' carries a heavy hint that this country belongs to some of its citizens and not others—an ugly thought that has frequently led to even uglier acts."

In the wake of all this nostril-flaring self-generated indignation, Governor Fordice apologized: "I deeply regret any offense that any Mississippians might have taken at my remarks."

Governor, the offense is their problem, not yours.

Missouri

Show Us

For some reason we don't get much news out of Missouri. Our subscribers there don't send in many anecdotes, and the national press is more likely to cover events in Florida or Texas or Georgia. So we have to go with what's available, and here it is for this issue: Syphilis is on the increase in St. Louis—691 cases so far this year, up from 198 cases in 1991.

Now how about you folks in Missouri sending us some good news items?

North Carolina

Burn Baby Burn

One of the nation's biggest untold stories: At least two of the state's universities have experienced serious racial unrest as the result of growing agitation by black separatists.

Black students at the University of North Carolina at Chapel Hill asked for a free-standing student union building of their own. When the administration initially refused, they rioted and burned down three buildings.

At A&T, an historically black university, students staged a massive demonstration, demanding that: Western Civilization be dropped as a requirement and that black studies be substituted. They also asked that the African flag be flown, that the "Black National Anthem" be played at all public events, rather than "The Star-Spangled Banner," and that the university stop the recruitment of white students and teachers.

All of this was going on in the last weeks of the political campaign, but the popular media killed the story. The *Southern Partisan* will offer an in-depth story soon.

Oklahoma

Field Trip

Oklahoma State Penitentiary warden Dan Reynolds has initiated a new program that should become a national prototype. In order to teach young people the consequences of crime and at the same time interest inmates in graduating from high school, he has worked out a little exchange program.

Minimum security inmates, accompanied by guards, will visit the school, while older students visit prison. That way, both groups will see how the other half lives.

The concept is certainly a sound one. On the other hand, given the current condition of our educational system, suppose the inmates are horrified with all those grim classrooms and dirty restroom facilities?

And suppose the kids conclude that the state prison beats the heck out of old McAlester High?

South Carolina

Let It Be

The Citadel is all male, but its support is not. In fact, a group calling itself "Women for The Citadel" has recently formed to support the traditional all-male admissions policy, still under attack from the ACLU and certain would-be cadettes. WFC has pledged to write letters, contact legislators and to see that the pro-Citadel position is heard not only among the Woodmen of the World and the VFW, but at the Junior League, the League of Women Voters, and the garden club.

The *Southern Partisan* has also learned that a group of subscribers have been contemplating a similar organization. "FACT," for "Females Advocating Citadel Traditions," is likely to be a bit more militant, however. "Let The Citadel be The Citadel, we say. We're just not going to stand by and let a great Southern tradition be destroyed," says FACT's founder. "Any woman who would want to do this to The Citadel should have her head examined...we're raising money for the strait jackets." Any women interested in joining either organization should contact the *Southern Partisan* as soon as possible.

Tennessee

New Treasures

Once again, John S. Sanders and Company have done the South great service. The new titles available from the Nashville publisher include Robert Penn Warren's epic *Night Rider*, Stark Young's moving *So Red the Rose*, Caroline Gordon's War novel *None Shall Look Back*, Andrew Lytle's family chronicle *A Wake for the Living*, and Owen Wister's story of post-War Charleston, *Lady Baltimore*. Remarkably, all of these classics were out of print until dusted off by Sanders.

An equally impressive backlist includes the principal agrarian works: *Bedford Forrest and His Critter Company* by Lytle, *Stonewall Jackson The Good Soldier* by Tate, *The Tennessee* by Davidson, and *The Fugitive Poets* anthology. New prefaces in each volume by *Southern Partisan* contributors M.E. Bradford, Thomas Landess, Russell Kirk and James Kibler make each book a special treasure.

Texas

Must Be True

You've heard about the 800-pound gorilla that can sleep anywhere it wants to? Well, what about a 1600-pound armadillo? John McElroy, who is still working on his definitive volume, tentatively titled *The Compleat Armadillo*, says he has uncovered evidence that prehistoric members of the species grew to at least that size.

"There was a scarcity of food and the smaller one's were able to survive on less to eat."

Were there any fossil remains to verify the existence of these huge animals?

"Of course," said McElroy. "They're all over. An aunt of mine saw one in a museum up at Harvard."

Virginia

Heap o' Trouble

A female deputy sheriff in Fairfax County found out that the post-Clarence Thomas emphasis on sexual harassment is not necessarily a boon to all women. She was fired for using foul language around male deputies and for "touching incidents" involving sensitive areas of their bodies. The male deputies didn't file a complaint initially; but when questioned, they admitted that, yes, she did grab them in that particular place, and, no, these attentions were not invited.

Sheriff Carl Peed was quoted as saying: "It's not the first time a female has been disciplined, but it's the first time a female has been disciplined for *this*." ☆

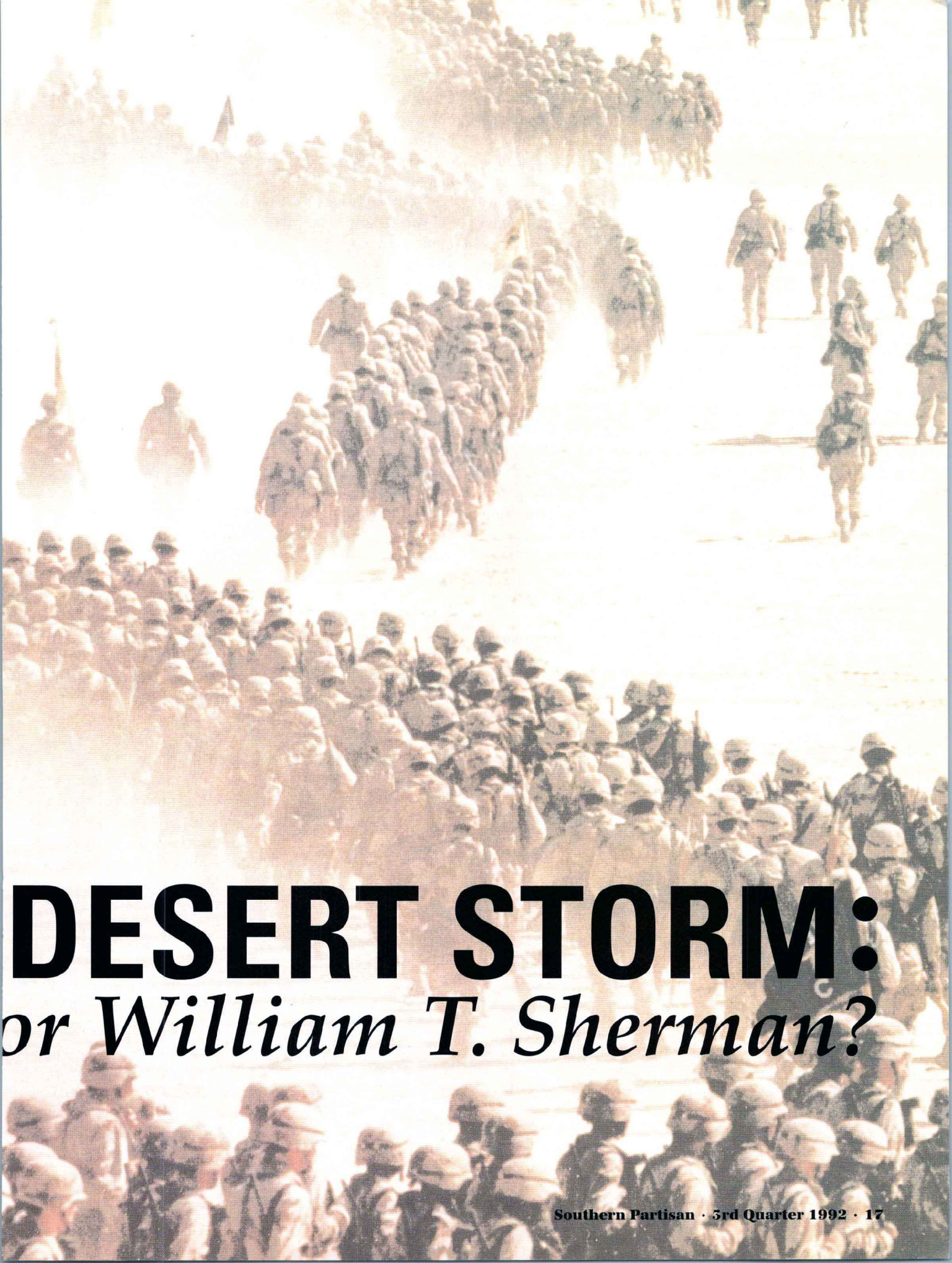
As the brilliant American military victory in the Persian Gulf approaches its second anniversary, the focus has shifted from the emotions of homecoming celebrations to the seriousness of lessons learned and lessons validated. While the ingredients of victory are a combination of many factors, from logistics to training to armament, history has shown that one of the most important elements in successful combat operations is always the quality of the commander. It is the commander who decides the strategy, directs the tactics, and inspires the morale of his soldiers. To those mediocre captains of history who arrogantly relied on sheer numbers of forces to ensure success on the battlefield, the past is replete with the story of the small army, with a great leader, overwhelming numerically superior forces.

"War will never be abolished by people who are ignorant of war."
—Walter Lippman

OPERATION
Robert E. Lee

by Jeffrey F. Addicott

Operation Desert Storm confirmed that the American commander, General Norman Schwarzkopf, was no mediocre leader. Clearly, he had learned well many of the lessons written in the bloody ink of military history. In this context, the war also paid a magnificent tribute, albeit a silent one, to a man who is arguably the greatest military leader this



DESERT STORM:
or William T. Sherman?

country has ever produced—Robert E. Lee. Indeed, not only in the sphere of battlefield tactics, but in ensuring strict adherence to the laws regulating warfare, General Lee and General Schwarzkopf had much in common; tactical skills and ethical conduct go hand in hand in the making of a great leader.

Unfortunately, however, there are many who are unaware of the phenomenal benefits that our military has most certainly drawn from General Lee. Curiously, this was brought out by the battle in the Persian Gulf. When reporters asked General Schwarzkopf which military leaders he most admired, Schwarzkopf, as expected, turned to the War Between the States for his examples. What was totally unexpected, however, was that he ignored the obvious choice of General Lee, a choice that other modern American commanders such as General William Westmoreland (from the Vietnam era) had easily made, and instead cited General William T. Sherman as one of his heroes! The United States of America was fortunate that both General Schwarzkopf and the forces under his command emulated the tactics and humanity of the Confederate General and not the Unionist.

Robert E. Lee

"The blow, whenever struck, must, to be successful, be sudden and heavy." —R. E. Lee

An unspoken tribute to General R.E. Lee was particularly evident in regard to the grand strategy used by the American commander in the Gulf. As General Schwarzkopf held his "victory" press conference and explained the concept of the overall operation in the defeat of the Iraqi forces, it was obvious that not only had he been able to successfully apply the lessons and experiences of his own career, but that he had drawn heavily from the wisdom of General Lee.

To the serious student of American history, Schwarzkopf's celebrated "Hail Mary" flanking movement to the west of the enemy strongly echoed from another time and place. While no two wars are ever alike, and each commander's actions must be evaluated in terms of their unique circumstances, the basic tactics employed in the "hundred hour" ground war were undeniably similar to those used by the commander of the Army of Northern Virginia.

Time after time Lee executed magnificent flanking movements at such battles as Second Manassas (1862), Chancellorsville (1863), and the Wilderness (1864). In short, the ground phase of Operation Desert Storm was vintage Lee—fix the enemy in place and hit him suddenly and heavily in the flank. The heart and soul of Lee's superior strategy was based on surprise and economy of force, the same key elements superbly utilized in Operation Desert Storm.

Lee as Role Model

To contend that America's military leaders still concentrate on the military campaigns of General Lee is, of course, no revelation to most senior officers in the armed forces. Even the United States Navy acknowledges the leadership abilities of Lee, studying and publishing at the Naval War College the works of scholars who have devoted their entire lives to exploring the person and legend of Lee. As for Lee's most natural constituency, the ground commanders, one need only take a cursory tour of the Army War College in Pennsylvania to confirm their commitment to studying the War Between the States in general, and R. E. Lee in particular. Battle scenes from the bloodiest war in American history hang from almost every hall in the institution. In a recent U.S. Army War College publication concerning two of Lee's classic victories, the authors confidently challenged modern officers to learn from and appreciate

Print by Clyde Heron

the genius of Lee and his corps commander T. J. "Stonewall" Jackson. In the preface they note: "Lee and Jackson did not see themselves as old soldiers; they considered themselves *modern* soldiers, and *today's officers will quickly learn to identify with them* (emphasis added)."

Lee's Impact on the American Military

Apart from being the most enduring conflict in the nation's psyche, the War brought into focus the extraordinary genius of General R. E. Lee. A genius so phenomenal that his impact upon the armed forces of the United States is still felt over a hundred and twenty years after his death! This is not surprising, however, when one considers that even before the outbreak of the War, Lee's military value was already firmly established in the young nation.

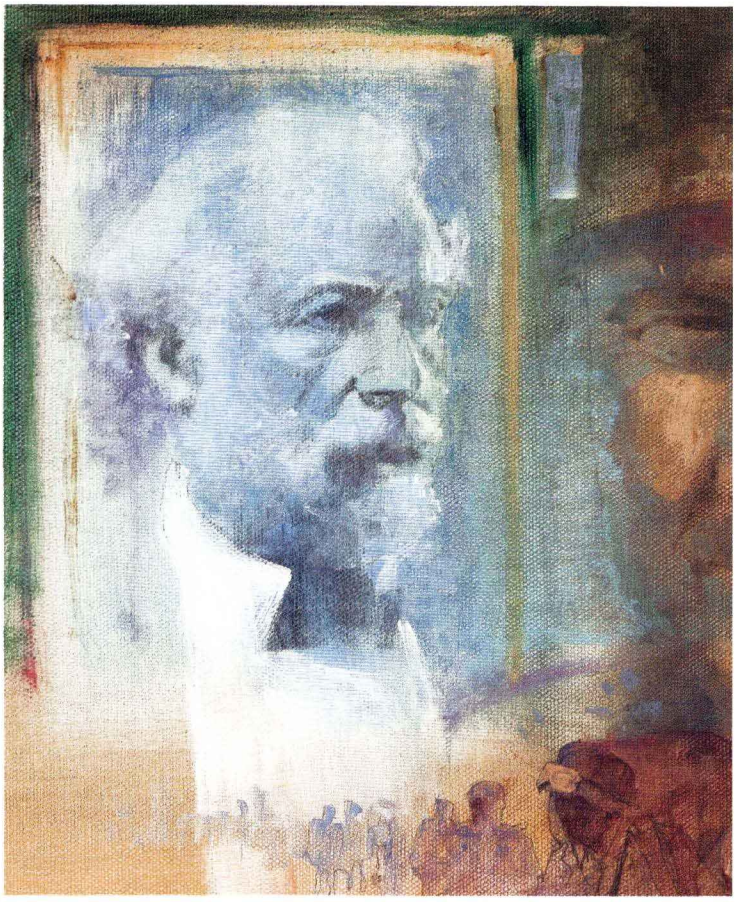
General Winfield Scott, commander of the American forces during the Mexican War (1846-48), noted on many occasions that that war was won due largely to the efforts of, then, Captain Robert E. Lee. Captain Lee had made such an impression on Scott that thirteen years later (in 1861), when asked about the best officer in the U.S. military, he promptly replied: "I tell you, sir, that Robert E. Lee is the greatest soldier now living, and if he ever gets the opportunity, he will prove himself the greatest captain of history."

President Abraham Lincoln was also well acquainted with Lee's military acumen. In April 1861, before Colonel Lee (serving in the 2nd U.S. Cavalry) had to decide between Virginia and the Union, Lincoln eagerly tendered to Lee the supreme command of all Union forces in the field. If accepted, Lee would be second only to General Scott, who was then the General-in-Chief of the Federal forces.

Taken to the mountain top of temptation and offered what every soldier dreams of—fantastic success and fame—Lee maintained his loyalty to his state and family, thereby reflecting to the world a glimpse of his incredible integrity. A product of Southern aristocracy, honor and duty were more important than fame; he could not draw his sword against his native state. W. T. Sherman would later write of Lee, "His Virginia was to him the world ...."

At the conclusion of the War Between the States, military leaders throughout the world quickly recognized the incredible battlefield accomplishments of Lee. British, Prussian, and French officers, renowned in their own right, expressed only the highest regard for General Lee. These included Colonel Chesney, Lord Roberts, Colonel Henderson, Von Moltke, Bismarck, Von Borcke, Colonel Scheibert, Major Mangold, and many others. The great British officer, General Garnett Joseph Wolseley, had observed Lee at first hand during the War and called him a genius in the art of warfare, "being apart and superior to all others in every way, a man with whom none I ever knew and few of whom I have read are worthy to be classed."

While the Virginia of the Old South has long since faded, in the decades that have passed and to this day, Lee's name has only increased in brightness, until he illuminates the pages of military doctrine as perhaps no other soldier in American history. It was from



France, in the 1870s, that world-wide recognition of Lee as a great "soldier, gentleman and Christian" first began. By the first decade of the twentieth century, Britain had also become totally enthralled with Lee, due in part to the great English writer Henry James. The Canadians, who had always been sympathetic to the South, quickly expressed their high regard for General Lee. By the time Lee died, in 1870, the *Montreal Telegraph* was able to say: "Posterity will rank Lee above Wellington or Napoleon, before Saxe or Turenne, above Marlborough or Frederick, before Alexander, or Caesar .... In fact, the greatest general of this or any other age. He made his own name, and

the Confederacy he served, immortal."

Indeed, in the history of the United States, there has never been an officer who inspired such great devotion and trust in his soldiers as did General Lee. This fact was beautifully illustrated in an incident just before the surrender at Appomattox when Lee turned to Brigadier General Henry Wise and asked him what the army and country would think of him once he surrendered. General Wise, a former governor of Virginia blurted out, "General Lee, don't you know that you are the army .... [T]here is no country. There has been no country, for a year or more. You are the country to these men."

Arguably, Lee contributed more than any other single man in setting the very bedrock for some of the most outstanding and valuable attributes of American military power. A bedrock so strong that today, when asked to identify the most notable characteristics of the U.S. military, one can expect the worldwide response to literally echo his signature: (1) the superior tactical abilities of the combat leaders, and (2) the civilized conduct of Americans in war.

That the American military establishment has proudly maintained its reputation for sound military tactics as well as an unmatched sense of humanity is well known. What is not as well advertised is the man most responsible for all of this. Perhaps it is the passage of time that conceals his name. More likely, however, it must be attributed to the prejudice of those who are loath to find anything positive associated with the Southern cause—a cause that most Americans still do not understand.

In spite of the fact that their greatest champion is often overlooked, "Leeonian" tactics and civility have become ingrained into the character of the U.S. military establishment. Although these qualities certainly existed before the emergence of Lee the general, it was his genius and humanity that epitomized and translated them into the very fabric of subsequent American military doctrines. For this reason, any analysis of the U.S. military, either in terms of tactics or comportment with the law of war, that ignores the amazing contributions of General Lee can never be more than a fraction of the truth. He, more closely than any other officer, is most qualified to project the American standard of behavior in these areas.

William T. Sherman

"[W]e are not only fighting hostile armies, but a hostile people, and must make old and young, rich and poor, feel the hard hand of war, as well as their organized armies." —W. T. Sherman (1864)

When General Schwarzkopf listed General Sherman as among those whom he most admired from history, many misunderstood the reasons associated with that choice and hence, the efficacy of such a statement. In the minds of most knowledgeable Americans, particularly in the South, the name of W. T. Sherman is immediately associated with a most heinous array of war crimes.

This, of course, was not the quality that General Schwarzkopf sought to embrace when he listed Sherman as one of his heroes. Was it then the tactical side of Sherman that won Schwarzkopf's respect?

Few historians rank General Sherman among the brilliant. Most writers believe that he was far too cautious when conducting war against sizable concentrations of enemy soldiers. "As a consequence he tended to hold back both in the employment and deployment of his forces. This in turn either cost him defeats, as at Missionary Ridge, or else lost him the fruits of victory, as at Jonesboro."

As a military commander, Sherman was at best only average. However, compared to the vast majority of Union general officers, who were notoriously incompetent, Sherman looked fairly capable. His mainstay was his tenacity, not his imagination. Tenacity, however, can do great things when juxtaposed with a tremendous military might, such as was furnished to him by the industrialized North. Sherman could systematically conduct his version of "total war" at will.

After burning the entire city of Atlanta to the ground, Sherman set out with over 62,000 Federal soldiers; not to engage Confederate combat forces but to "make Georgia howl." The only Confederate military forces that could have opposed Sherman had left Atlanta and headed north into Tennessee. Apart from Rebel cavalry to harass his flanks, or small local home guards consisting of old men and boys, General Sherman faced no significant military opposition until he reached North Carolina. Sherman wrote: "Until we can repopulate Georgia, it is useless to occupy it; but the utter destruction of its roads, houses, and people will cripple their military resources. I can make this march and make Georgia howl."

Tragically, the only persons who "howl" under such brutal activities are always the defenseless civilian population, primarily women and children. Although Sherman issued "official" orders that prohibited the trespass of all dwellings, required the leaving of reasonable provisions for families who were forced to provide food, and even prohibited the use of profane language, in reality none of these orders were actually enforced. The soldiers were allowed to rob, pillage, and burn in a swath of horror that, from wing to wing of his forces, extended almost 60 miles in width!

As the Union army approached their homes, defenseless Southern civilians understood the approaching terror. In the distance, they could see the pillars of smoke by day and the fires by night. If Sherman did not order the rape and other physical abuses that accompanied his campaign of terror, he, as the commander of the army, must share responsibility for these additional crimes. While physical abuses were widely reported, the issue of rape remains less certain. Because of the social stigma attached, rape was a crime seldom discussed in nineteenth century America; victims often kept the crime to themselves. While it was probably less widespread than some might allege, there are documented cases of Sherman's forces raping black and white Southerners.

Boasting of his wholesale looting and burning through Georgia, General W. T. Sherman telegraphed his superior, General U. S. Grant: "I sincerely believe that the whole United States, North and South, would rejoice to have this army turned loose on South Carolina, to devastate that state in the manner we have done in Georgia." Because South Carolina was the first Southern state to secede from the Union, Sherman felt that the citizens of the state should be made to suffer in a special manner. Consequently, Sherman thoroughly devastated South Carolina. A noted Northern journalist, John T. Trowbridge, traveled through South Carolina just after the War ended and recorded the sight that greeted him. "No language can describe, nor can catalogue furnish, an adequate detail of the wide-spread destruction of homes and property. The Negroes were robbed equally with the whites of food and clothing. The roads were covered with butchered cattle, hogs, mules, and the costliest furniture...."

Later, as Sherman headquartered in the finest mansion in Savannah, he again corresponded with Grant concerning his upcoming march through South Carolina. As if attempting to shed all responsibility for controlling his army Sherman said, "the whole army is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble for her fate, but I feel she deserves all that seems in store for her."

The Law of War During the War Between the States

Granted that the modern international rules regulating the conduct of armed forces during combat, codified in the 1949 Geneva Conventions, did not exist during the War, Sherman certainly violated the well established customary prohibitions of his day in addition to the much praised Lieber Code.

Francis Lieber, a German international law scholar and professor at Columbia University, was asked by the Federal authorities to draft a code for the conduct of war on land. Promulgated as, "Instructions for the Government of the Armies of the United States in the Field," it was issued on April 24, 1863. The Lieber Code consisted of 157 articles. The Southern forces adopted their own code of conduct for land warfare in 1861: "Articles of War, Regulations of the Army of the Confederate States." In addition, James A. Seddon, the Confederate Secretary of War, pledged to abide by most of the substantive provisions of the Lieber Code. This code, coupled with the existing customary obligations, absolutely prohibited the larceny, vandalism, or indiscriminate burning of civilian property, as well as all associated crimes of violence against civilians. Article 47 of the Lieber Code provided that:

> Crimes punishable by all penal codes, such as arson, murder, maiming, assaults, highway robbery, theft, burglary, fraud, forgery, and rape, if committed by an American soldier in a hostile country against its inhabitants, are not only punishable as at home, but in all cases in which death is not inflicted, the severer punishment shall be preferred (emphasis added).

To be sure, a handful of Union officers and soldiers assigned to Sherman did display military discipline, but the vast majority of Sherman's troops, intent on booty, soon discovered that the chain of command made little effort to protect civilians or their property. Early in the "march," some subordinate commanders, such as General Oliver Howard, dutifully informed Sherman that the soldiers were committing "inexcusable and wanton acts." While still marching through Georgia, well before the most barbarous atrocities were committed, General Howard even issued his own orders:

> It having come to the knowledge of the major general commanding that the crime of arson and robbery have become frequent throughout this army, notwithstanding positive orders both from these and superior headquarters having been repeatedly issued ... it is hereby ordered: that hereafter any officer or man of this command discovered in pillaging a house or burning a building without proper authority, will upon sufficient proof thereof, be shot.

Despite such "official" directives that threatened death by firing squad for any form of pillaging, not a single Union soldier was ever executed. The obligatory wink at the "law" had been given. "[H]is men knew he [Sherman] would understand if they went beyond the orders. A great deal of unauthorized and individual looting went on as the army ripped across the state, and it went unpunished." Accordingly, bands of roaming marauders calling themselves foragers or

"Sherman's Bummers" engaged in indiscriminate plunder upon the defenseless civilian population.

Sherman's only attempt at defending his crimes occurred over the burning of Columbia, South Carolina. Despite numerous eyewitness accounts to the contrary, Sherman always denied the burning of Columbia, blaming it on the retreating Confederate cavalry. In defending his atrocities, General Sherman did not have the sophistication to conceal his crimes under the guise of military necessity. As provided in Article 44 of the Code, destruction of private property was allowed upon the order of an officer in the case of military necessity. Although the exception was worded in the negative, "all destruction of property not commanded by the authorized officer ... are prohibited ...," it was in no way meant to be broadly construed. If Article 44 allowed the means for an officer to order an otherwise illegal act, Articles 14 through 16, by setting out strict definitions of the term military necessity, certainly limited his ability to issue such commands. Article 14 held that military necessity "consists in the necessity of those measures which are indispensable for securing the ends of the war, and which are lawful according to the modern law and usages of war."

Anticipating that most cases of military necessity would involve the taking of food stuffs from the local population, Article 15 of the Lieber Code did allow for the "appropriation of whatever an enemy's country affords *necessary for the subsistence and safety of the army* .... (emphasis added)." Sherman, however, paid little attention to the code. In twisted logic based on pure vengeance, he openly and intentionally targeted innocent civilians in order to make them suffer for having supported the Confederacy, not to feed his troops. Claiming that his barbarous machinations had a bright side, that they might somehow induce the civilians to sue for peace, Sherman freely admitted: "If the people [civilians in the South] raise a howl against my barbarity and cruelty, I will answer that war is war, and not popularity-seeking. If they want peace, they and their relatives must stop the war." By his own admission, Sherman purposefully violated Article 16 of the Lieber Code:

> Military necessity does not admit cruelty - that is, the infliction of suffering for the sake of suffering or for revenge, nor of wounding or maiming except in fight ... nor wanton destruction of a district. It ... does not include any act of hostility which makes the return to peace unnecessarily difficult.

Finally, the popular but erroneous contention by some modern writers that "General Sherman's march of devastation ... during the American Civil War may have been viewed as lawful tactics at the time" is simply a twisted manifestation of "victor's justice." The adoption of the Lieber Code as an official military order made the Code absolutely binding on all Federal soldiers, particularly the officers who were solemnly charged with upholding the laws.

Total War

In today's setting, had General Schwarzkopf followed Sherman's example of "total" war, he would not only be guilty of numerous war crimes, but the army he commanded and the nation he represented would have been subjected to the scorn and ridicule of the entire civilized world. Even by the somewhat less rigid standards of his own day, General Sherman left the civilized world nothing worth emulating. Obviously, however, in stark contrast to his opponent Saddam Hussein, General Schwarzkopf strictly adhered to both the spirit and the letter of all aspects of the law of armed conflict. With the wholesale looting, hostage taking, murdering, torturing, raping, and environmental destruction visited upon Kuwait, it was Saddam Hussein who carried General Sherman's notion of "total war" to unspeakable extremes.

Furthermore, it would be inconceivable that the American government would long tolerate abuses of this critical rule of law, particularly abuses that were command directed. Under the provisions of the Geneva Conventions, each nation is under obligation to search for persons alleged to have committed war crimes, to investigate the allegations, and to prosecute or extradite those so accused.

Unfortunately, Sherman's conduct was not shocking to the Lincoln Administration, regardless of the rules breached. On the contrary, Lincoln was well pleased. Then again, the same authorities that had earlier condoned the forced evacuation of every human being in most of the border areas of western Missouri and the burning of every single home (General Order No. 11), could hardly be expected to flinch over Union atrocities in the heart of Dixie.

Thus, when Sherman quipped that "War is hell," it was only he, by his barbarous acts, that made it so hellish. Sherman's tactic, to assert that because war is utterly repulsive that one need not abide by rules, is as old as it is fallacious.

Conclusion

"Lee is the only man I know whom I would follow blindfolded." —Thomas J. Jackson

The antithesis of Sherman, General Lee is not only remembered as a military genius, but he is equally praised, North and South, for his careful adherence to

the laws of war, particularly in the protection of the property and persons of civilians. Lee never subjected the Northern civilian population to the terror and horror that was visited upon his own people. On the other hand, to those who knew Lee, it could have been no other way.

In April 1861, when Lieutenant General Scott received Lee's resignation from the U.S. Army in order to offer his services to the Southern cause, Scott expressed the greatest regret. A witness, however, noted that General Scott was consoled knowing that he "would have as his opponent a soldier worthy of every man's esteem, and one who would conduct the war upon the strictest rules of civilized warfare. There would be no outrages committed upon the private persons or property which he could prevent." Clearly, even before their codification in the Lieber Code, Scott understood, as did Lincoln, Sherman, and Grant, what the customary international rules regarding civilized conduct in war required of them.

On both of his campaigns into the North, Lee conducted his army impeccably, punishing all those soldiers arrested for larceny of private property. Fully realizing that Union forces had wantonly razed civilian homes and farms in the neighboring Shenandoah Valley, Lee nevertheless kept close rein on his soldiers. Lee wrote:

> No greater disgrace can befall the army and through it our whole people, than the perpetration of barbarous outrages upon the innocent and defenseless. Such proceedings not only disgrace the perpetrators and all connected with them, but are subversive of the discipline and efficiency of the army, and destructive of the ends of our movement.

Although some Southerners have criticized Lee for not authorizing lawful reprisals in order to deter Federal violations in the future, General Lee firmly believed that reprisals were not the answer. Responding to a letter from the Confederate Secretary of War regarding possible Confederate responses to Union atrocities, Lee reiterated his position in the summer of 1864:

> As I have said before, if the guilty parties could be taken, either the officer who commands, or the soldier who executes such atrocities, I should not hesitate to advise the infliction of the extreme punishment they deserve, but I cannot think it right or politic, to make the innocent ... suffer for the guilty.

With Americans fighting Americans, Lee knew that the long—term effects of engaging in reprisals would not be profitable for the nation or the South. In this, he was undoubtedly correct; Lee's strict adherence to the rules regulating warfare, coupled with his firm policy prohibiting reprisals, contributed greatly to the healing process after the War.

One of the driving forces that created the legend of Lee, the ultimate gentleman, was his unmatched sense of humanity. "Lee was the soldier-gentleman of tradition, generous, forgiving, silent in the face of failure ... a hero of mythology." No matter how great the temptation for legitimate reprisals, a concept well recognized in international law, R. E. Lee would not stoop to the level of his enemies.

This is one of the reasons he has been called the "Christian General," (aside from the fact that Lee believed in salvation through faith alone in Christ alone) as reflected in his address to the troops as they marched into Pennsylvania during the Gettysburg campaign of 1863: "It must be remembered that we make war only on armed men, and that we cannot take vengeance for the wrongs our people have suffered without lowering ourselves in the eyes of ... Him to whom vengeance belongeth." Instructing his officers to arrest and punish all soldiers who committed any offense on the person or private property of civilians, he reminded them that "the duties exacted of us by civilization and Christianity are not less obligatory in the country of the enemy than in our own."

In contrast, Sherman's atrocities simply sowed the seeds of hatred for generations of Southerners; a common epitaph for those who commit war crimes. His assumption that he could terrorize the South into submission by devastating the farms and towns was totally fallacious. "Although the havoc wreaked by Sherman's hordes contributed to the Confederate defeat, this contribution was so indirect and ambiguous that it did not justify militarily, much less morally, the human misery that accompanied and followed it."

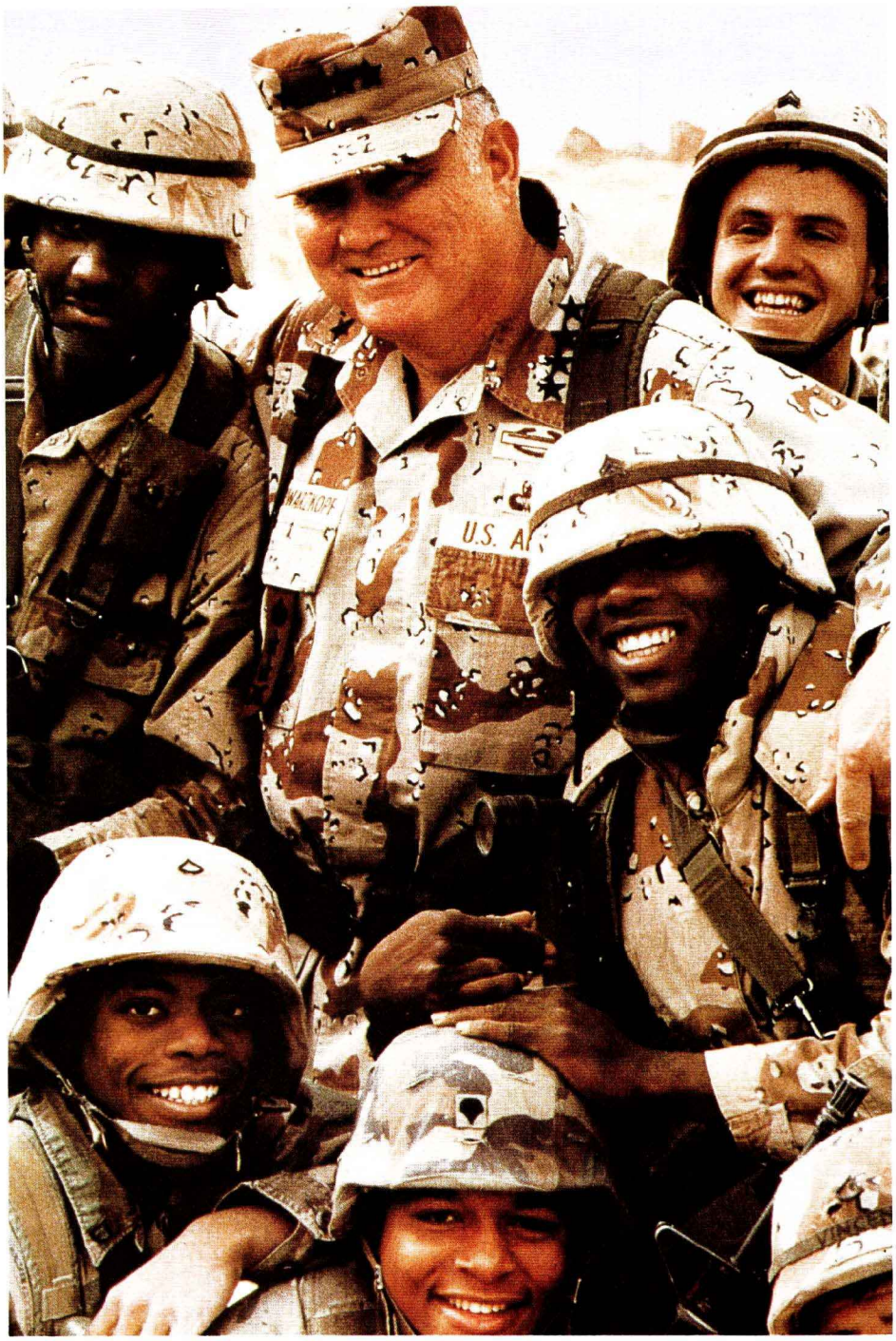
The contention that violations of the law of war are necessary in an "ends justifies the means" analysis is fundamentally inaccurate. Aside from the obvious issue of morality, violations are most often simply an unwise waste of military resources. As the pragmatic Prussian soldier and author, Karl von Clausewitz, observed: "If we find that civilized nations do not ... devastate towns and countries, this is because their intelligence exercises greater influence on their mode of carrying on War, and has taught them a more effectual means of applying force ...."

One noted historian has described the true legacy of W. T. Sherman:

> Sherman must rank as the first of the modern totalitarian generals. He made war universal, waged it on the enemy's people and not only on armed men, and made terror the linchpin of his strategy. To him more than any other man

must be attributed the hatred that grew out of the Civil War.

In the context of Operation Desert Storm, it is abundantly clear that the only quality that General Schwarzkopf took from Sherman was his reputation for ferocity. General Schwarzkopf related on numerous occasions that he hated war and all that it brought. He also pointed out, however, that "once committed to war then [one should] be ferocious enough to do whatever is necessary to get it over with as quickly as possible in victory." The difference, of course, was that Schwarzkopf, in lawful combat, directed his ferocity towards legitimate military targets of the enemy, while Sherman illegally directed his ferocity towards innocent and helpless civilians. Obviously, it was in this limited analogy to the concept of "ferocity" only that General Schwarzkopf paid any respect to William T. Sherman. From both a military as well as a legal and moral perspective, General Schwarzkopf was not advocating that the United States military should find anything positive associated with General Sherman.



Whether judged in the light of tactics or of moral conduct, the actions of the American military in the Gulf War reflected the impact of Lee, not Sherman. Gauged by these two factors, Operation Desert Storm was not a place where lessons were learned but a place where lessons were validated. In turn, with this validation of the magnificent ability and character of America's fighting forces, there must come an appropriate tribute to Robert E. Lee.

For great armies are neither created nor sustained by accident. To a large degree, great armies are maintained by those officers who understand and then are able to apply the lessons of military history. In this respect, no officer can truly be called a professional without a firm commitment to the moral and ethical rules regulating combat. Quite naturally, this objective requires constant training as well a comprehensive understanding of one's moral roots. ☆

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Julian Green

One summer day in Paris, France, just a year after the Great War, a former French military officer, not yet nineteen years of age was invited by his father to have a chat. Slim, handsome, and gifted, the young man knew it was time for the big talk concerning his future now that peace had returned.

To help him make a good decision, the father told the ex-officer that an uncle of his wanted to pay for his four years at the university. The young man's father counseled Julian to accept his uncle's generous educational offer. He was going abroad to The University, a great center of learning located in that distant land of which his beloved late mother had told him and his five sisters so many wondrous tales. Her tales seemed fabulous to this Parisian boy and the distant land his mother spoke of, sometimes in tears, became his favorite fairyland. Now he really was going there! His mother called it "the South." He was going to attend the University, the only one with the right to an upper case U—Mr. Jefferson's university, the University of Virginia. For the young Parisian Julian Hartridge Green, taking the journey across the wide ocean to become a student at that famous school was the beginning of a lifelong search to reclaim his heritage as a citizen of that faraway land, the American South.

The first day spent in Virginia where his ancestors had lived and where his father was born stirred young Julian profoundly. He remembers it as follows:

> The [first] morning, I woke up early and raced to the window. I will never forget that moment. On the other side of a small deserted square there had been erected a neo-classical building with a rectangular pediment, and a grand door flanked by two Doric columns. They appeared so much whiter than the walls of this edifice made of simple red brick. This building was the courthouse. A bronze cannon guarded the entrance. Dreaming of Manassas under the magnificent sycamores whose leaves were gilted with sunlight, suddenly I saw before my eyes the homeland of my mother, the South, and what she had recounted to me came back to memory after many long years...In several seconds, I understood all; Secession, the will to survive, the struggle not to become absorbed into a much vaster country.

Seventy three years later, at the age of ninety two, Julian Hartridge Green, a member of the prestigious French Academy, is widely regarded in France as her greatest living author, the sole survivor of that illustrious generation of writers who created modern French literature during the period between the two great wars. Among this generation marked by genius were Gide, Bernanos, Mauriac, Montherlant, Cocteau, Reverdy, Michaux, Claudel, and Malraux. But the great Catholic theologian, Jacques Maritain, was to say this about the last member of this brilliant generation, "For Julian Green I have an admiration without compare. I find it marvelous that an American should be the greatest French writer of our time."

Another literary titan of French letters, Andre Gide, could not believe that his "ami Green" should be anything but the cultivated Parisian novelist he knew. For most of his life Gide stubbornly held the notion that Julian Green was originally from Quebec.

The distinguished Nobel laureate could not be more wrong. Julian Green, or Julien Green as he is known in European letters, was born and raised in Paris; yet there was a significant difference between him and the other French schoolboys with whom he attended the renowned Lycee Janson where Mallarme once taught. Though perfectly French in culture and language, Julien's classmates taunted him with the words that were to haunt him all his life, "You belong to a country which no longer exists."

by Alphonse Vinh

And yet this French boy with the strange Anglo-Saxon surname was to become one of France's greatest writers who added to French literature a new province with deep abiding roots in the civilization of the American South.

On 6 September 1900, at ten p.m., Julian Hartridge Green was born at 4 rue Ruhmkorff, in the 12th arrondissement of the great city of Paris. He was the eighth and last child of Edward Moon Green and Mary Adelaide Hartridge Green, unreconstructed Southerners who left their native land in 1893 to establish the family in France. Having lost his fortune, Edward Green secured the position of foreign agent for a Southern cotton firm. The boy Julian was named for his mother's father, Judge Julian Hartridge of Savannah, Georgia. At the outbreak of the War for Southern Independence Judge Hartridge joined the famed Chatham Artillery as an officer. He later became Georgia's senator in the Confederate Congress where he was a staunch Jefferson Davis ally who placed the welfare of the fledgling Southern nation above state loyalties, something not enough Southern politicians understood the pressing need for at the time. Remembered as a man who loved states' rights and disapproved of slavery, he was, prophetically for his grandson it now seems, an admirer of the French.

The Yankees placed a price on Judge Hartridge's head and the Georgia senator went into hiding towards the end of the War. Curiously enough, a recurring theme in the fiction of Julian Green is the desperate attempts of his literary characters to escape their fate. From the Hartridge side of his family, Julian Green inherited the powerful sense of the divine and the supernatural which is a determining hallmark of his life and work. Shortly before Judge Hartridge died, he called aloud to his family, "Fetch me my cane, I'm going to heaven."

Julian Green's father, Edward Moon Green, came from a no less distinguished family. The Greens were Virginians with plantations in Prince William county. Charles Green, the family patriarch and Julian's grandfather, was a colorful man. He amassed a large fortune in the import business and divided his time between The Lawn, his Virginia estate, and the family's sumptuous mansion in Savannah. Charles Green had nine children and because he did not wish to show favoritism towards any one (his favorite was secretly Edward, the father of Julian) provided all of them with houses and plantations. The expansive and generous gentleman was described by his literary grandson as:

> [a] picturesque grandfather, who wholeheartedly defied the Yankees during the War Between the States, bought and smuggled arms for the South until the day he was arrested by the Federals and threatened with immediate execution.

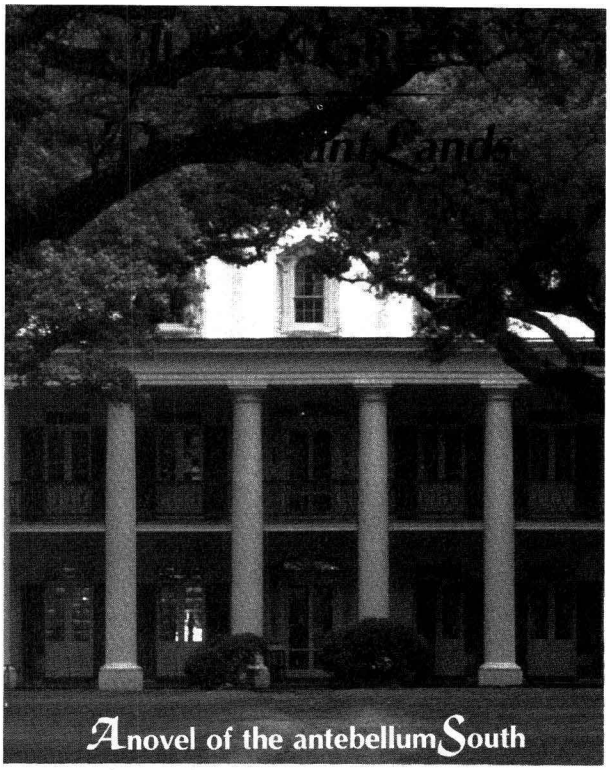
Julian Green

Because Charles Green had the good fortune to be a British subject, he managed to escape the death sentence the Yankees had placed upon him. Instead, the Northern authorities incarcerated Green for several months at Fort Warren where other Southern leaders such as President Davis would later be imprisoned.

The Green Mansion built by this immensely rich bon-vivant is situated on Madison Square in the heart of historic Savannah. It is among the most famous buildings in that lovely coastal city. Julian's father was forced to sell his inheritance shortly before his family departed permanently for France. During the War, the mansion played reluctant host to General Sherman, who requisitioned the vast home for his headquarters. There are several wartime illustrations of the mansion's ballroom and parlor in *Harper's Weekly* showing them in use for Union officers' parties. Indeed, it was in an upstairs bedroom of Julian Green's ancestral abode on a winter day in 1864 where the Exponent of Total War wrote his famous letter to Lincoln

offering him Savannah as a Christmas present. Sherman's famous March to the Sea ended in the Green family house. Julian's parents explained to him and his sisters when they were children that their grandfather Charles had offered General Sherman and his staff the use of the house in order to spare his friends from the shame of having to quarter enemy officers; as a subject of Queen Victoria, Charles Green could do at least this favor for his disheartened friends. Married to a Virginia lady and an enthusiastic adopted son of the South, he was an unwavering Confederate. His grandson would transform him into the character of Charles Jones in the two published novels of his Southern epic, *Dixie*.

And thus it came to pass that Edward and Mary Green moved with their ever growing family to France, never to return. Mrs. Green opted for France rather than Germany because she felt that the French would understand Southerners better since they had recently lost the Franco-Prussian War. In Paris, the Green family strove mightily to create around them an oasis of Southern culture. Mr. Green grew mint in the backyard for his juleps but because bourbon could be hard to find in France, he sometimes had to resort to French brandy. Julian's mother, Mary Green, had been a Savannah belle, and she insisted on training the family's French cook to prepare rice dishes in the Savannah manner. Inside the family parlor, there hung on the wall a watercolor depicting the Stars and Bars. Many years later in his book, *Dans la Gueule du Temps (In the Mouth of Time)*, which consists of photographs and selections from his famous journal, Julian Green wrote a caption beneath a picture of the Confederate battle flag: "The Stars of the South, the only flag my mother ever recognized."



Green's antebellum drama **The Distant Lands**

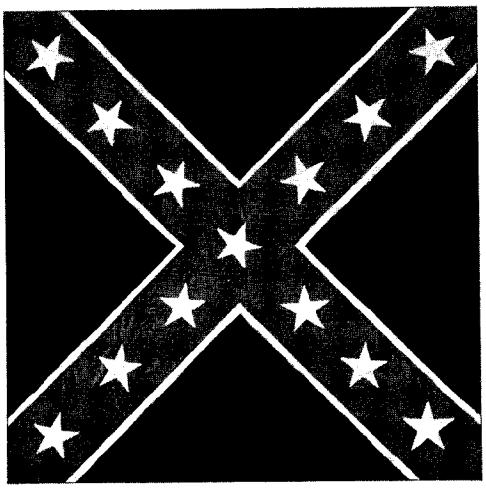
Both the Greens and the Hartridges were related to other great families of the Old South; their cousins included the Lees and the Beauregards. The collected stories from his family's history combined with his personal experiences in the South would provide Julian Green's rich literary imagination with abundant source material which he would use extensively in his work.

When Walker Percy won the National Book Award in 1961 for his remarkable first novel, *The Moviegoer*, reporters asked him why there were so many good Southern writers. He replied, "Because we lost the War." Julian Green has stated his belief that the source of the melancholy which runs through his family can be traced to two principal sources. First there was the family's stern tradition of Calvinist Christianity with its heavy emphasis on the fear of God, human sinfulness, and predestination. Second, there was the shattering defeat of the Southern Nation and its subsequent elimination from history at the hands of a vengeful Northern conqueror. It is safe to say that Julian Green's beloved mother, a high spirited former Savannah belle and Southern nationalist, never recovered from the trauma of losing her civilization. More deeply than most Southern writers, Julian Green experienced in his complex psyche the pain of the Old South's tragic end. Mary Adelaide Hartridge Green's son would note in a journal entry dated 3 July 1951, "My country no longer existed as a nation, history had effaced it." Julian Green explains that this acutely painful awareness inherited from his family encircled him in an inner loneliness and isolation not apparent to the outside world.

In a recent letter I wrote to Julian Green in France, I questioned him about the third volume of his ongoing Southern trilogy. The first volume, *Les Pays Lointains* (translated into English as *The Distant Lands*), and the second, *Les Etoiles du Sud* (*The Stars of the South* [untranslated]), tell the story of several aristocratic Southern families living in Virginia and Georgia during the period 1851-1861. Volume two ends with the Confederate victory at First Manassas. I asked Julian Green how he plans to finish the final volume. Will the story end with Appomattox or will it continue into the Reconstruction era? Green graciously responded that the final volume in which he is deeply engaged at the present time, will take us through the end of 1863. The reason is quite clear. Until he was thirteen years old, Julian Green's mother did not wish him to know that the South had lost. Faithful to the cherished memory of his unrecon-

structed mother, he will hold to the idea in his trilogy that the War has not ended as history would have it. It brings to mind this memorable passage from Faulkner's *Intruder in the Dust*:

> There is the instant when it's still not yet two o'clock on that July afternoon in 1863, the brigades are in position behind the rail fence, the guns are laid and ready in the woods and the furled flags are already loosened to break out...and it's all in the balance, it hasn't happened yet, it not only hasn't begun yet but there is still time...



JULIAN GREEN

SOUTH

a play

***Green's drama* South**

Because of his great stature in European letters, Julian Green is one of few living writers to be included in the prestigious Bibliotheque de la Pleiade which has helped shape the Literary Canon, as it were, of European literature; unfortunately, his European critics often fail to appreciate his deep roots in the religious culture of the traditional South. Quick to pick up on the continental Catholicism to which Julian Green converted, the critics forget that the Southern Protestant piety of his family indelibly shaped his world view. Flannery O'Connor, who has in certain ways so much in common with Julian Green, said "the greatest drama naturally involve the salvation or loss of the soul. Where there is no belief in the soul, there is very little drama." In Julian Green's close knit family, an outpost of the Old South in France, the Authorized Version was read aloud daily to the Green children by their mother. Julian Green learned to speak his ancestral tongue by hearing the stories from the Bible and the prayers from the Book of Common Prayer. As an adult, Julian Green mastered Greek and Hebrew in order to read the Bible in the original (for his daily scriptural studies he also employs the Latin Vulgate); however, he insists that emotionally, he feels that the King James Version is the only "real Bible." The Authorized Version has played a powerful spiritual and linguistic role in the life of the Southern people; to this day, the South remains the last great bastion for Christians to whom the King James remains the undisputed word of God.

The Southern faith of Green's ancestors is in his blood. This Catholic convert may be the only member of the French literary establishment to read the Bible daily for at least an hour. Julian Green confesses that for him, "the Bible is a living person. Other books are just books."

His close friend, Jacques Maritain, told Julian Green that he is a writer who lives on the spiritual plane. In his fiction the deft use of the devices of realism helps plant his special imaginative world in the plausible concrete reality understood by the reader; but then as we plunge further into his world, we shift quickly into a visionary realm not quite of this earth. A good critic of Julian Green's work, Henri Peyre, has correctly touched upon his principal themes:

> The obsession with sin, with the flesh lusting against the spirit, and in the words of the Epistle to the Galatians, of the spirit lusting against the flesh, along with the emotion of panicky fear, constitutes the constant theme of Green's powerful novels. Of the writers of fiction in our century he is one of the most original.

Since he began writing seven decades ago, Julian Green has produced some sixty volumes of novels, short stories, plays, critical essays, autobiographies, interviews, and travelogues. He is also a gifted photographer who has published many photographs of the world he has seen. Not surprisingly, the action in many of his works takes place in France. But as Bernard Doering commented in *Jacques Maritain and the French Catholic Intellectuals*, Julian Green has not forgotten his Southern heritage. Doering writes:

> The South is one of the privileged places in Green's works. Many of his books, in whole or in part, take place in one of the Southern states, especially Virginia and Georgia: *The Pilgrim on the Earth*, *South*, *Terre Lointain* (*The Faraway Land* [untranslated]), *Moira*, *The Distant Lands*, *Each in His Darkness*, to say nothing of the many passages in his journal.

Other works with a Southern setting include *Avarice House* and the *Dixie* trilogy. The original of the house used as the model for *Avarice House* is worth relating. In several letters written by General Robert E. Lee, he

mentions visiting a Virginia estate called Kinloch. That property passed on to Julian Green's uncle, Loughborough Turner. As a student in Charlottesville, Julian took his vacations with the innumerable relatives he had in Virginia and Georgia. Quite often he stayed with his Aunt Lucy and his uncle Loughborough at Kinloch. The writer remembers his father asking him how "he could give that lovely house to a family of misers." Julian Green said, "I didn't know where to stick my characters, and then I was tempted by the setting." His Aunt Lucy, mistress of Kinloch, kidded him about burning her house down at the end of *Avarice House*. The novel was highly regarded by the greatest German poet of this century, Rainer Rilke, who predicted a great literary future for the young novelist.

The two masterpieces of Julian Green's maturity are *Moira* and *Each in His Darkness*. Both, not surprisingly, are set in the South. Hailed as a masterpiece when it appeared in 1950, the novel *Moira* presents the struggle between flesh and spirit with red hot intensity as embodied by the protagonist, a young religious fanatic named Joseph Day.

The hero, a Protestant zealot from the hills of Virginia arrives at the University unprepared for the culture shock awaiting him. Finding himself violently at odds with the worldly fraternity life in Charlottesville, he seeks refuge in biblical studies. The young student yearns to be completely spiritual, he burns with a violent love of God and a desire for a form of Calvinist sainthood. The seductive Moira, daughter of Joseph Day's landlady is his fate; she becomes his sexual obsession whom he suffocates after a night of passion. In killing Moira, the young fanatic Joseph has tried to murder the carnal element within himself. Striving to divorce the flesh from the spirit which should be both sanctified by God, Day becomes inhuman; his subsequent war against the flesh causes him to destroy another precious human life. Joseph Day's chief sin is in not accepting the human condition which God ordained. During the writing of *Moira*, Julian Green wrote in his journal: "It is only our Manicheism which prevents us from seeing." On one occasion, he remarked, "How easy it is to pass from the Kingdom of God into the Kingdom of Satan."

Mary Hartridge Green, Savannah belle

Julian Green has affirmed that all his fiction stems from his childhood. When he was six years old he once woke up in the middle of the night and cried out to his mother. As Mrs. Green came to his bedside, Julian asked her, "Mama, am I saved?" Already at an early age, he was wrestling with the questions of salvation and damnation. Flannery O'Connor has said flatly, "Either one is serious about salvation or one is not."

Today if one were to visit Julian Green in his apartment in the heart of Paris, one would be entering an oasis of the American South. A Confederate battleflag hangs at the end of a narrow corridor. It was sewn for the Green family by their cousin, a daughter of General P.G.T. Beauregard. First person accounts and other documents on the War for Southern Independence fill the bookcases near the entrance. Julian Green's personal library is richly stocked and the variety is astonishing. As you walk into the living room you will be greeted by antebellum Southern furniture brought by his father to France. To a recent visitor from the *New York Times* who came for an interview, Julian Green smiled and said, "This is the American South in France." He has rendered French literature a great honor by choosing French for his literary medium. But he has a fierce loyalty to the South which he regards as his country. In his response to my questions, Julian Green said that "the South maintains for all of America a cultural weight which remains unique...and which counterbalances the materialism of the rest." When he was a small boy, Mary Adelaide Hartridge Green told her son, "Do not forget that you are a little rebel. We are all rebels." As a writer Julian Green has created a vivid, unforgettable universe and he has drawn deeply from the well of his Southern heritage; a faithful son of the South, he had explored time and again in haunting works of literary art that distant land of his heart's yearning. ☆

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Southern Partisan gratefully acknowledges the assistance of Marion Boyers Publishers with this story. The complete Julian Greene oeuvre, available from Boyers and distributed by Rizzoli includes: *The Distant Lands, Paris, South: A Play, The Green Paradise: Volume One of an Autobiography* (January 1993), *The War at Sixteen: Volume Two of an Autobiography* (September 1993), and *The Apprentice Writer: Essays* (February 1993).

PARTISAN
conversation

Horton Foote

Texas–born Horton Foote is a Southerner worthy of the acclaim he has received. For though an Academy Award–winning playwright (for to Kill A Mockingbird, and Tender Mercies), he has never betrayed his heritage.

In the introduction Selected One–Act Plays of Horton Foote *(Southern Methodist Univ. Press, 1989), editor Gerald C. Wood had this to say about Foote: "Horton Foote reveals himself as a writer with a place. The home of his creativity and renewal has always been Wharton, Texas.... It was there that he first saw the ancient pecan trees, the Victorian houses with their large galleries, the courthouse square and the other primary images of his writing. By remembering the voices of Wharton's gifted storytellers, he connects with his place and similar ones throughout the South.... [H]e is true to his place. Almost as if protecting its integrity, he carefully establishes authentic settings and precise historical moments in his dramas; he allows himself little sentiment and no condescension. As a result of this process, he writes what Katherine Anne Porter calls 'real fiction.'" —O.P.S.*

Southern Partisan: Tell me about the pecan tree in your front yard.

Foote: The tree was planted the year I was born, in 1916. It's not a native. There was some grafting because the pecans at the beginning were very large and now they've diminished in size. It's gone through at least fifteen hurricanes that I know of. You know, pecan trees are not the deepest rooted trees in the world. The one over there, which you can see through the window, is a native, but I think it's at least 150-200 years old. There are a lot of native pecans here. All the trees in our backyard are trees that rooted themselves and have grown considerably in my lifetime. When I was a boy we had no trees in the backyard except some fig trees and a chinaberry tree, because my father loved chickens. We had chickens in the back. They kept anything from growing on it.

This is part of a large tract of land that belonged to my grandfather. There were cotton fields all around it from here to town. On this side was his lot where he kept his horses and cows and whatever. The house was a kind of peace offering. My mother and father had eloped to get married. Before I was born, they all made up, and my grandfather built this house for my momma. It's in her name. My father was a very proud man. He didn't have a lot of money. He didn't want people to think he was marrying her for her money, so he wouldn't let his name be on the deed. Its entirely in her name. Of course I don't remember it, but I was told we moved here when I was not quite one year old. And this was the center of my life, all my growing up. It was the very world.

Southern Partisan: This house then has also survived a number of hurricanes.

Foote: Oh yes. This house is wonderfully built. As a matter of fact, it's built out of cypress, which is the hardest wood that you can have. The floors are pine but the main house is cypress. But we never stayed here during a hurricane. We had a storm house out back. It's still out there, but we never used it. We al-

INTERVIEW BY ROBERT FLYNN & SUSAN RUSSELL

ways went to my grandmother's—our backyards are back to back. It's an enormous house and I always felt more than just security. The storms were a time of great excitement because many of our relatives from the deep coast would come in to get away from the hurricanes. This is called the Gulf Coast, but we're really forty miles from the coast. It was a very sociable time. I got to stay up late and everybody talked half the night with nobody getting much sleep.

It was like Christmas, despite all the destruction going on around us. They'd speculate, and tell about other storms, always about the 1900 storm. It was always the focus of everybody's stories—when the waves got to the top of the Galvez Hotel or something spectacular like that. When the sea wall broke down.

Everybody slept on pallets. All that kind of stuff that appeals to a child. The electricity was off. The water was off. We drew water and had it in reserve in case. The storms didn't usually last more than a day and a half, I think. The dramatic time was at night. I heard all those sounds.

I always remember when it stopped and we dared go outside. The landscape had changed, the sky was broken, and it seemed so peaceful. And then, all this destruction around. Tree limbs, chicken coops, parts of houses. I don't think anything was better than my grandmother's house. It was superbly built. It had an enormous gallery which is four times as wide as here, almost all around the house. My father took me out on that gallery once during the storm. Held me tight, you know.

We have enormous floods around here. That was almost as much fun as a hurricane to a child, because the water sometimes would come up to the top steps out there. We'd have to take a boat to go to town. The floods lasted until I think the late '20s, early '30s.

There was a raft in the river that evidently caused these floods. My grandfather was in charge of that for years, head of the Raft Commission. I suppose he must have gotten rid of it some way.

Southern Partisan: Your father had a store and was also a farmer?

Foote: My father had a bit of a struggle because our whole economy depended on cotton, which I learned early. It was the first thing I learned to ask. "How's the cotton?" My earliest memory of my father was walking out with him and looking at the skies to see if it was going to rain or not.

My father didn't actually farm. None of us have farmed. He managed my grandparent's cotton farm. We had tenants. My father walked to town to the store everyday. None of these houses were here. There was a dirt road among all the cotton fields, and he'd walk down the dirt road; we had lots of cats and the cats would always come to meet him when he came home at night because he'd bring them food. It was a very quiet life. Father was a great walker. One Sundays, he'd get on the railroad track and walk the track out to Glen Flora, which is a small town about eight miles away. Often at night he took walks.

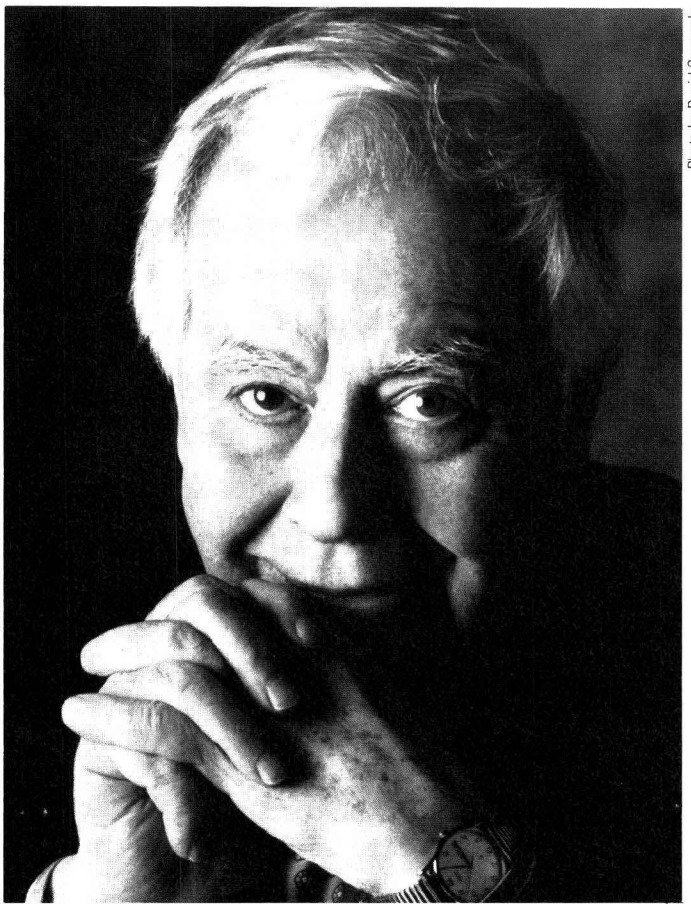


Photo by David Spagnolo

Horton Foote

He had a garden out back, and his chickens. The reason I think he was so fond of chickens was that his family was a victim of the Reconstruction and all that. They didn't have much money after that, although his great-grandfather, Albert Clinton Horton, was the first lieutenant governor or Texas. He was from Alabama. He came here and had a great plantation, and at the time of the Civil War, he had 120 slaves. He was a man of great wealth. He also owned a house outside of Austin with a lot of land around it, and a house at Matagorda. My father grew up with people pointing and saying, "This used to belong to us, that used to belong to us." Which is a terrible thing to grow up with. His father and mother separated and his mother took him to live with her. She took in borders. She had no money. My father had some pet chickens, and without telling him, she cooked the chickens for Christmas dinner. He got

violently ill and no one knew what it was. I'm sure he was just heartbroken about those pets of his. He had chickens a great deal of his life.

Southern Partisan: Did you have any chores as a child?

Foote: No, unfortunately. In those days you could get servants for $1.50 to $2.00 a week. I think in some ways it was a great deprivation to the wealthy. It made them not very self-reliant. I didn't do much as a child, except to play, before the age of ten. I'd come home for dinner, and then I would take my father his dinner on the trip back to school.

From the age of ten on, I worked with my father at the store. It was a valuable experience, particularly on non-Saturday days. Saturday was the busy day; now it's just like any other day downtown. On weekdays I'd come in after school, or in the summertime, and the old timers would come in and visit. His store was headquarters for them. Everybody was either semi-retired or retired, loafing around town and constantly retelling how it was and who did this and no, you're wrong, and who did that.

Southern Partisan: What are some of your other childhood memories?

Foote: I heard about the flu epidemic of 1918 all my life. It was a very real thing for me. I was born then, but I was just a baby. But my father and mother both had the flu. He had a very bad case. Neither of them could do for each other. He had a recurrence of it, and nobody could come over, until finally this great-aunt who was a nurse came and stayed with us. So many people died. And those names were always recounted.

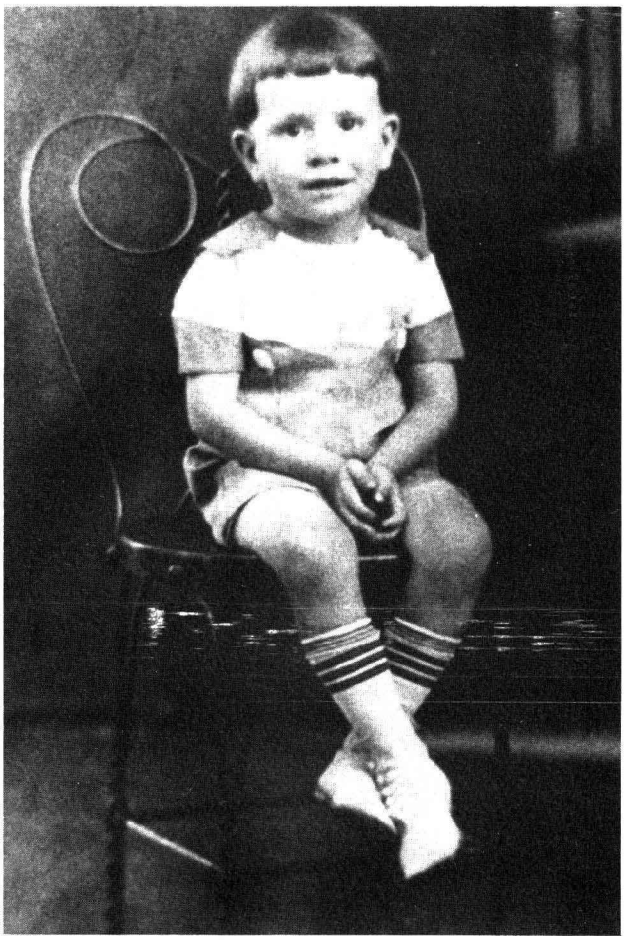
During the first World War there were certain German families in town that wouldn't put up the American flag. Everyone was scandalized.

But the first World War wasn't as interesting to me as the Civil War. That was my war. That was the war that engaged my attention. That was the war I wanted to be in.

People around me were still talking about that war, and certainly the great storytellers were. A lady across the street would go on for hours about it. She had a favorite story about the Yankees coming in and saying "Blood or gold, blood or gold."

They took all her silver and things. Those stories charmed me.

We played Southerners and Yankees. Nobody wanted to be the Yankees, so we made the little kids be Yankees. There was a lady across the street from my grandmother's house who was a great Confederate buff. Her grandfather was Col. J.P. Rogers—I think at the Battle of Corinth. She had a Confederate uniform, and she'd tell us these wild stories about the war. The name Lincoln was not mentioned. Once I came home and announced that the teacher had asked who was right, the North or the South, and I think she unfortunately said the North.



Horton Foote as a child

There was a house built across the way that had two boys and we played together a great deal. They were the sons of architects so they were good with their hands, and they could do things with Erector sets and stuff like that, that frustrated me. We used to climb that great pecan tree and build tree houses up there. We would string wire from one tree to the other and hold on to an iron pipe and slide from one tree to the other. I loved to climb. That's the thing I remember most. Sliding down those wires, and climbing up on garages and in trees. I loved to be up in trees.

I don't know why my parents allowed that, careful as they were about many things. They'd never let me go into town because my father was raised on the streets, and he had a horror of them. But they gave me great freedom here. We also used to build caves. The boy across the street from my grandmother's house had an enormous backyard. That's where we dug our caves. There was an old creek, which often was not running. We would get way down deep, digging out holes. I was a great admirer of Tom Sawyer and Huck Finn and I thought I was Tom Sawyer in my cave.

My friends' father managed the oil mill and cotton gin and we would play on top of the cotton bales, jumping around and running on those bales. We weren't athletically inclined. As I got older I played some baseball, but growing up we did more imaginative things. We didn't organize things. Mostly climbing, and bicycles, and a lot of skating when we got sidewalks.

I loved unique pets and was dying to have beehives. I found out where I could get a queen bee and I just nagged my father to death. He wouldn't let me. Very early on I got guinea pigs, which you couldn't get in Wharton. You had to take the train to El Campo. Then I had a horse which I rode. They never teach you how to ride horses down here. They just put me on the back of the horse and said "Go." I'd run the horse and then I'd come home and water it. Nobody told me that was bad for a horse. Well, this poor thing, I winded him so, that when I went off to school, they sent him out to one of the farms, and they killed him because he was ruined. I never have forgotten that.

above: Foote's grandfather

below: Foote's grandparents house

Southern Partisan: What did you do at night?

Foote: We always had supper together. My father didn't come home for dinner, but we always waited for him to have supper. In the summer, spring, and fall we played school on the steps at night, and one by one, we'd kind of drop off. Mother and Father and all my relatives were great talkers. They'd usually sit out on the front gallery and talk. I listened to them, and then when I'd get in bed I could hear them talking away. I spent a lot of my life listening. All kinds of stories. Constantly told, retold. So the days when I wasn't on this earth were as real to me as the days that I was. And as vivid. This cycle of plays that I'm working on include a lot of things that I heard right there.

When I did that scene in "To Kill A Mockingbird" which is not in the book, the essence is in the novel but the physical location is not—when the sheriff comes to tell that there's some trouble in the town, I have the two children in the room listening, and the father and the sheriff don't know they're listening. I took that example from here because that's what I used to do. I listened to things children weren't supposed to hear.

Southern Partisan: You were more a collector of stories than a teller of stories?

Foote: Much, much more. I was in a very aggressive household. Everybody was always interrupting one another and retelling the story, and I soon learned that a story could have about five different versions. A theme and variations, like a jazz riff. When I got up north, I used to entertain my friends with stories on my relatives and people that I had known. I began to carry the stories on. I've always had an abiding interest in this place. Some deep kinship. From the time I started writing it never occurred to me to write about anything else. In mysterious ways I think my material has chosen me.

Southern Partisan: When did you decide to be a writer?

Foote: That was one of those decisions I kind of eased into. I had this terrible urge to act. I didn't want to go to college, I wanted to go to dramatic school. I had just turned sixteen when I graduated. I suspect in Wharton they thought it strange that a boy would want to go off and be an actor. It worried my father considerably. I don't know why he let me go.

They saw I wasn't going to give up, so they put me on the bus from Houston to Los Angeles. I had an aunt in Dallas and stopped over, and got back on the bus, and saw my first mountains, and got to Los Angeles. I

stayed at the Y in Pasadena until I could go to the school, which didn't open until the following Monday, so I had to learn fast about life. At the school I could hardly be understood, I had such an accent, and the first thing they threw me into was Roman Comedy. I don't know how I survived.

I don't think I really wanted to be an actor, I wanted to be a movie star. But my grandmother came out and took me to see three Ibsen plays and that changed my life. I saw that and I thought, this is what I want to do. I gave up wanting to be a movie star after that, and concentrated on acting in plays.

I went to New York and retrained. There was a group of people there, older, more sophisticated, and they decided to start an off-off Broadway theater and invited me to join. We called ourselves the American Actors Company because we were doing American plays.

Anges De Mille came and was going to do a compilation of dances and sketches and one-act plays and call it "the American Legend." We were doing improvisations with each other, helping each other understand different regions, and I did an improvisation called "The Hurricane." Anges said, "You seem to be in touch with a certain Texas life; you should try writing a play." I came back to this house and wrote a play called "Texas Town," in which I had the lead.

Foote's parents

The Humphrey-Weidman Company had a theater which we rented and opening night the New York critics and Lee Strasberg and Clifford Odets and people like that came. They liked the play except they didn't like my acting very much. That kind of threw me. That summer the American Actors Company went away as a company but I got some wonderful parts. Whatever need I had to act got fulfilled that summer and I began to switch.

After two other plays off-Broadway which were well received, I had a play on Broadway but it didn't work. It ran about two months but I wasn't getting any royalties, so I had to go to work in a bookstore. There I met my wife, which was a nice dividend; I wouldn't have met her otherwise.

We decided to get out of New York and we started a theater in Washington. It lasted about four years and that was the chance I had to experiment and work and get to know something about my craft and not have the New York critics breathing down my neck. In that period I finished "The Chase," and I got a job teaching at the American Theater Wing, and writing for the Goodyear Playhouse and Playhouse 90. That's really how I got started.

Southern Partisan: What values do you think have been passed down through generations in your family?

Foote: My father didn't like guns. We were never allowed to have guns. The line from "The Trip to Bountiful" I took from life: "My father was a peculiar man. He would never allow guns because he loved birds." My father wouldn't let anyone bring a gun on this place.

My father taught me great respect for honesty and hard work. Once, I think he was worried because he had to work so hard everyday that we never had time together. He asked me what I wanted to do and I told him I wanted to go to the picture show. We took the train to Houston and we went to the Kirby in the morning, and the Majestic in the afternoon, and the Metropolitan at night, and got back on the train and came home. I know he didn't care much about it. He did it out of sheer love for me.

There was a deep love in our family, a great sense of kinship which always made me feel very secure. I was loved. Some of my relatives felt that it was a very binding thing. I never felt that.

We didn't have a lot of money. I didn't know this until later, but my father had to sell a rent house to pay my tuition to dramatic school. I've seen many a day that there's been no more than seventy-five cents in the cash register. Then maybe on a Saturday, he had only $60. I've seen my father's worried face. I know he had to go to the bank and borrow money, and he always dreaded going. There were days when he didn't think he could keep the store open. They never hid things. I could see what the store had taken in. I could hear them talking, and I could hear them get discouraged.

My mother tried to cheer Father up. They were very close. I knew that anything we didn't have was not because of a lack of love. And really, what does a young boy need? ☆

This interview with Horton Foote is from the new University of North Texas book When I Was Just Your Age, *a history of childhood memories of 13 Texans by Robert Flynn and Susan Russell. This 175-page paperback includes 100 B&W photos and drawings and can be obtained for $14.95 by writing University Distribution, Drawer C, College Station, Texas 77843 or calling (800) 926-8911.*

The South and the Supreme Court

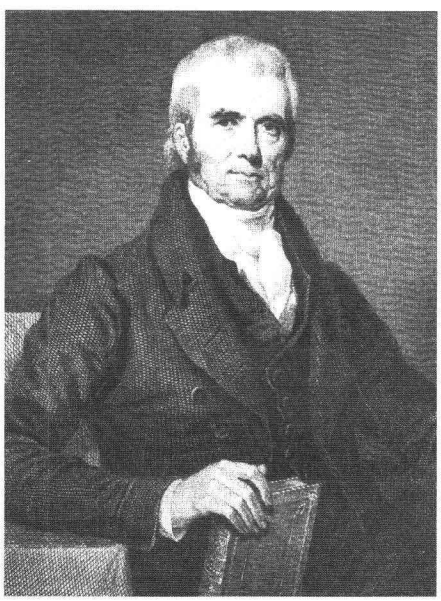
Bryant Burroughs

When Georgian Clarence Thomas took the oath as the nation's 106th justice of the Supreme Court, he became the 36th Southerner to serve on the nation's highest court. From the appointment of John Rutledge by George Washington in 1789 to the retirement of Lewis Powell in 1986, with the exception of the Reconstruction decade of 1866-1876, a Southerner has sat on the Supreme Court.

Three of the six original justices nominated by Washington were from the South. John Rutledge of South Carolina had served in the Constitutional Convention as the chairman of the Committee of Detail, which committee composed the first draft of the Constitution. President Washington regarded Rutledge as the man who "wrote the Constitution," and considered appointing him as the first Chief Justice. After the Senate confirmed Rutledge's nomination as a justice, he declined the office in order to assume the chief justice position in South Carolina.

When John Marshall of Virginia was appointed by John Adams in 1801 as the third Chief Justice, he took charge of an infant court viewed as inferior to the executive and legislative branches. The court did very little work, having decided only 55 cases in the twelve years of its existence.

All that changed under Marshall's leadership. During his 34 years on the court, he employed his personality and will to transform the Supreme Court into an independent judicial body equal to the legislative and executive branches of the federal government. He delivered the decision of the court in 519 of 1215 cases and in 36 of 62 cases involving constitutional issues among the branches of government. When Andrew Jackson challenged a Marshall decision by declaring contemptuously, "John Marshall has made his decision; now let him enforce it," Jackson quickly learned that even the President of the United States was no match for Marshall with the force of the Constitution behind him. He possessed a consistent commitment to natural rights, but within the framework of order. For Marshall government existed to check the passions of common men, and he sharply distinguished between a republican form of government, which he associated with order, and a democratic form, which he associated with "chaos."



Chief Justice John Marshall

He combined an extraordinary mind with an engaging personality. Although his legal education consisted of a six-week lecture course at William & Mary College in 1780, during which time he devoted is energies primarily to pursuing his future wife, Marshall could detect very quickly the precise point on which a legal argument depended. Yet his personality, manners, and modesty were such that his first biographer lamented after writing three volumes that Marshall remained "so surpassingly great and good" that it was difficult to identify with him.

With the election of Tennessean Andrew Jackson to the White House and the expansion of the Supreme Court to nine members, Southerners began to dominate the court. When Marshall died in 1835, Jackson selected Roger Taney of Maryland as Chief Justice.

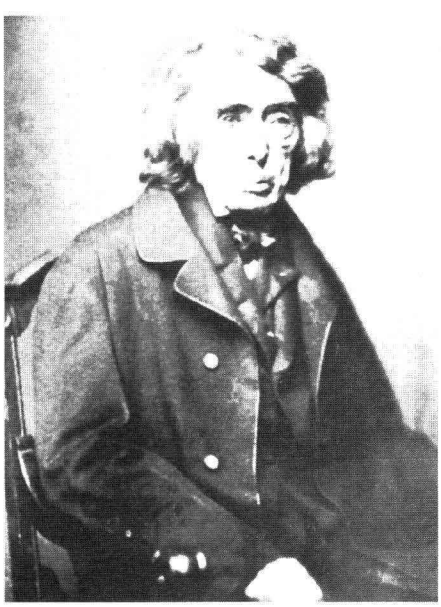
Taney believed in state sovereignty and resisted attempts by the federal government to interfere with relations between slaves and their owners. As the majority of five Southerners, led by Taney, ruled for slaveholding states in several cases involving the status of slaves moving from

one state to another, radical Senator Charles Sumner of Massachusetts demanded that Congress ignore the decision of the court. In the momentous *Dred Scott* decision in 1857, Taney rued that the Constitution did not endow "the African race in the United States" with the inalienable rights of citizenship.

Joining Taney in *Dred Scott* was John Archibald Campbell of Alabama, a powerful advocate of states' rights, but who opposed secession and favored improving the life of slaves. In 1853 the entire Supreme Court had petitioned President Franklin Pierce to appoint Campbell to the court. Pierce initially had offered the seat to Judah Benjamin of Louisiana, and his decline meant that no Jew would serve until Louis Brandeis in 1916.

Following the election of Rutherford Hayes in 1876 and the end of Reconstruction, sons of the South began returning to service in the national government. John Marshall Harlan of Kentucky was an ex-slaveholder whose father had been a Whig congressman and confidant of Henry Clay. Harlan supported a strong national government and opposed both secession and states' rights.

Harlan joined the Republican Party in 1868, and President Hayes selected him in 1877 to join a court dominated by strong-willed men such as Samuel Miller, Joseph Bradley, and Stephen Field. Harlan's intellect, striking appearance, and imposing size gave him the confidence to hold his own with such men, a confidence demonstrated by his wife's comment that he walked "as if the whole world belonged to him." In his most famous case, Harlan dissented from the 1898 *Plessy v. Ferguson* decision in which the court decreed that separate, segregated public schools do not violate the Constitution.



Chief Justice Roger Taney

The nomination of L.Q.C. Lamar in 1888 provoked a bitter political battle. Lucius Quintus Cincinnatus Lamar of Mississippi was the first nominee who had fought with the Confederate Army (he rose to the rank of colonel and surrendered with Lee at Appomattox), the first Deep South justice since 1853, and the first Democrat nominated in a quarter-century. Lamar had written the Mississippi Ordinance of Secession and served in the Confederate Congress. After Appomattox he was elected to Congress in 1872 and to the Senate in 1876, and in 1885 was picked for a cabinet position by Grover Cleveland. His nomination to the Supreme Court forced an acrimonious and emotional six-week confirmation battle. Lamar was confirmed by a narrow 32-28 vote only when three Republican senators defied their party and voted for confirmation.

In his second term six years later, President Cleveland violated a half-century of precedent by appointing Edward Douglass White of Louisiana to the "New York Seat" on the court. The Senate unanimously confirmed White despite the railing of some New York newspapers that the vacancy was being filled by a "disloyal rebel" who had joined the Confederate Army as a sixteen-year-old lieutenant. In 1910 White became only the second sitting justice to be promoted to Chief Justice, an appointment the Senate confirmed on the same day the nomination was announced. His memory was so retentive that when delivering a decision of the court, he often would recite the opinion instead of reading it aloud or referring to notes.

William Howard Taft appointed six justices in his single term as president, and all the appointees were judicial conservatives. Taft abhorred liberals of the stamp of Brandeis, Benjamin Cardozo, and Learned Hand, a group he regarded as "destroyers of the Constitution." His selections included Horace Lurton, the respected chief justice of the Tennessee Supreme Court who had fought under John Hunt Morgan and survived eighteen months in the Johnson's Island prison camp; and Joseph Rucker Lamar, a distinguished member of the Georgia Supreme Court, who was described as "an old-fashioned southern gentleman, of charming manner, and of that type in which the South takes most pride."

When Hugo Black graduated from the University of Alabama School of Law in 1906, the class yearbook predicted he might one day become a Supreme Court justice. In 1937 he became the first of Franklin Roosevelt's record nine court appointments. After his confirmation by the Senate, a firestorm erupted over his former membership in the Ku Klux Klan, and only a speech over national radio saved his Supreme Court seat.

Conservatives feared Black as a radical, and many newspapers headlined his first day on the court as "Black Monday." For most of his 34 years as a justice, Black interpreted the Constitution's Bill of Rights in an unyielding manner, subordinating the power of the state to individual liberty. In his later years, however, he recognized that the Warren court radicals had overstepped the Constitution, and his decisions began to reflect a restrictive interpretation of the Bill of Rights. For Hugo Black, creating rights was as wrong as denying rights, for both substituted a judge's ideology for the clarity of the Constitution.

Lewis F. Powell brought to the court the wisdom of thirty-five years as a preeminent practicing attorney in Richmond. Appointed by Richard Nixon in 1971, Powell became one of the few justices in history with a background in private law practice, rather than the judiciary or politics. During his fifteen years on the court, his decisions were framed around a fundamental reluctance to substitute his judgment for that of elected legislators. This philosophy of judicial restraint forced Powell into a moderating role between the court's liberal and conservative wings, particularly after the Reagan appointees began reshaping the court in the 1980s.

During the two centuries of the Supreme Court, unwritten political rules have created the "New York seat," the "Jewish seat," and the "Black seat," and the "Women's seat." But none of these has endured or contributed as has the "Southern Seat" on the Supreme Court. ☆

The Southern Seat on the Supreme Court

JUSTICE	STATE	DATES	PRESIDENT
John Rutledge	SC	1789-1791	Washington
John Blair	VA	1789-1796	Washington
James Iredell	NC	1790-1799	Washington
Thomas Johnson	MD	1791-1793	Washington
Samuel Chase	MD	1796-1811	Washington
Bushrod Johnson	VA	1798-1829	Adams
Alfred Moore	NC	1799-1804	Adams
John Marshall*	VA	1801-1835	Adams
William Johnson	SC	1804-1834	Jefferson
Thomas Todd	KY	1804-1834	Jefferson
Gabriel Duvall	MD	1807-1826	Madison
Robert Trimble	KY	1811-1835	J.Q. Adams
James Wayne	GA	1826-1828	Jackson
Roger Taney*	MD	1835-1867	Jackson
Philip Barbour	VA	1836-1864	Jackson
John Catron	TN	1836-1841	Jackson
John McKinley	AL	1837-1852	VanBuren
Peter Daniel	VA	1841-1860	VanBuren
John Campbell	AL	1853-1861	Pierce
John Harlan	KY	1877-1911	Hayes
William Woods	GA	1880-1887	Hayes
Lucius Q.C. Lamar	MS	1888-1893	Cleveland
Howell Jackson	TN	1893-1895	Harrison
Edward White *	LA	1894-1910	Cleveland
		1910-1921[CJ]	
Horace Lurton	TN	1909-1914	Taft
Joseph Lamar	GA	1910-1916	Taft
James McReynolds	TN	1914-1941	Wilson
Edward Sanford	TN	1923-1930	Harding
Hugo Black	AL	1937-1971	Roosevelt
Stanley Reed	KY	1938-1957	Roosevelt
James Byrnes	SC	1941-1942	Roosevelt
Fred Vinson*	KY	1946-1953	Truman
Tom Clark	TN	1949-1967	Truman
Abe Fortas	TN	1965-1969	Johnson
Lewis Powell	VA	1971-1986	Nixon
Clarence Thomas	GA	1991-	Bush

* = Chief Justice of the Supreme Court

Continued from Page 36

these decisions; this is especially true of *Brown*. Adherence to it is essential to being placed in what is referred to as "the mainstream." It occasioned some difficulty with those who recalled that Mr. Jefferson had said that governments derive their just powers from the consent of the governed; that was hard to square with the fact that federal troops were sent into Arkansas and Mississippi to enforce *Brown*. (All right-thinking men supported the decision, since it was to operate on Southerners, known to be a nation of reactionary racists.) Some problems began when *Brown* was applied in places like Los Angeles and Boston. As a member of the California Bar, I recall a state court judge who tried to desegregate the schools in Los Angeles; he was removed at the next election. The federal judge who presided over Boston's—Boston's!—desegregation had to be protected by federal marshals.

Justice Jackson, before *Brown* was announced, wrote a memorandum to his fellow justices:

> [D]espite my personal satisfaction with the court's judgment, I simply cannot find, in surveying all the usual sources of law, anything which warrants me in saying that it is required by the original purpose and intent of the Fourteenth or Fifth Amendment.

He told his colleagues that he would offer a "separate concurring opinion" if the Court "feigned that the Justices were doing anything other than declaring *new law for a new day*." [My emphasis]

The difficulty with *Brown* to an objective scholar—if there is such a thing—is that the Congress which drew the Fourteenth Amendment considered that it did not forbid segregated schools. That Congress itself provided for segregating the schools of the District of Columbia. The Supreme Court was quite divided on the matter, with Chief Justice Vinson unable to see a way around the difficulty, when he suddenly died. Frankfurter's remark, "This is the first indication I have ever had that there is a God," put the Justice in the same theological league with General Sherman. (The latter told a congressional committee, "God sent the sparks which burnt Columbia.")

I was in California when Warren was appointed Chief Justice to succeed Vinson; I remember the comment of a distinguished California attorney, a past national president of the American College of Trial Lawyers: "They must have appointed Earl because of his administrative ability; it couldn't have been because of his legal ability." When President Kennedy was slain, Chief Justice Warren offered this immediate comment: "This is the work of Southern segregationists." After this judicious utterance, he was appointed chairman of the commission to investigate the assassination.

We may disagree about the merits of the decisions I have named; there can be no disagreement that all worked revolutionary changes in American law and society. The debate has been between those who favored and those who disfavored the results. I think this unfortunate. I am old enough to remember when certain of the justices were called "the Four Horsemen of Reaction," and when a popular writer authored a critical study entitled "Nine Old Men." Those were the days when the Court was seen as a reactionary instrument which overturned much of the progressive legislation of the New Deal. Since the '50s those of a liberal persuasion have espoused the Court's activities, because of the liberal cast of its decisions.

All such discussion is sadly misplaced. What has happened is that the Supreme Court has become a legislative engine, and one which has careened out of control. The legitimacy of judicial review is itself controversial, although *Marbury v. Madison* has stood for it since 1803. What is not controversial is that the Framers never intended anything like what we now have. In Federalist No. 78 Hamilton considered that "the judiciary is beyond comparison the weakest of the three departments of power..." Hamilton added in Federalist No. 81:

...the issue of abortion should never have been propounded to a court. It does not lie within the province of courts. General laws on pregnancy, if for anyone, are for legislatures, not courts.

It may in the last place be observed that the supposed danger of judiciary encroachments on the legislative authority which has been upon many occasions reiterated is in reality a phantom. *** And the inference is greatly fortified by the consideration of the important constitutional check which the power of instituting impeachments in one part of the legislative body, and of determining upon them in the other, would give to that body upon the members of the judicial department.

The "Impeach Earl Warren" signs which we remember from the '50s, seen in the light of this Federalist paper and what we now know of the development of *Brown*, do not seem quite so extreme as they once appeared.

Historian Philip Guedalla described England as an island in the North Sea ruled by Scotsmen. By like token we may say that the United States is a country in North America ruled by a group of non-elected lawyers. For the essential question is not whether one concurs with these decisions of the Supreme Court; they are laws which have no legitimacy. They were uttered by men who were never elected, and who serve for life. It must be remembered that the Constitution expressly provides, "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

The entire circumstance of a legislative judiciary is a dangerous one...the country realizes that a ruler for life is being chosen, and every conceivable argument is advanced for and against the appointee. The fault is not in the search for argument; there should be no such rulers.

The entire circumstance of a legislative judiciary is a dangerous one — there can be none more dangerous — and this is the problem which should engage our attention, rather than the periodic circuses over appointment of new justices. The country realizes that a ruler for life is being chosen, and every conceivable argument is advanced for and against the appointee. The fault is not in the search for argument; there should be no such rulers.

It is late in the day. Mr. Justice Stone stated as long ago as 1936 that, "the only check on our own exercise of power is our own sense of self-restraint." Much has happened since 1936. The legislative function of this "court" is so out of control that the claim of the people of the United States to live in a self governing society is open to question. We may well have to forego saying that the states enjoy the Constitutional guaranty of a republican form of government. There is nothing republican about the lifetime rule of nine lawyers.

The judgment of a court should be important only to the parties litigant. If those judgments affect others than the litigants in a binding manner they are legislative. Justice Scalia in his dissent in *Planned Parenthood v. Casey* quoted from the following statement from Lincoln's first inaugural address:

> The candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court the instant they are made in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal.

One sees the powerful and emotional forces on both sides of the abortion controversy. The president-elect announced during the campaign that support for *Roe v. Wade* would be a "litmus" for any appointment he may make to the Court. The electorate was thus tendered a vicarious entry into the judicial chambers. But the issue of abortion should never have been propounded to a court. It does not lie within the province of courts. Experienced judges can examine a transcript and pronounce with some confidence on whether the evidence was adequate for a jury to have convicted the accused. General laws on pregnancy and abortion, if for anyone, are for legislatures, not courts.

But how is this engine to be controlled? There is fortunately a way of undoubted constitutionality. [See *Ex Parte McCardle*, 7 Wall 506 (1869)]. Whether recourse is made to it will determine if the United States may continue to call itself a self governing society. The Constitution provides that,

> In all cases affecting ambassadors, or other public ministers or consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such excep-

tions and under such regulations as the Congress shall make.

The legislative revolutions that I have referred to came through the Supreme Court's appellate jurisdiction. All that is necessary to return the United States to its standing as a self-governing society is for the Congress to pass, and the President to sign, something like this suggested enactment:

The appellate jurisdiction of the United States Supreme Court, and the jurisdiction of the inferior federal courts, shall not extend to any issue concerning the validity or lawfulness of a statute of the United States, or to any issue concerning the validity or lawfulness of a constitutional or statutory provision of a State, or to any issue concerning the validity or lawfulness of any regulation, practice or action of a State, arising from a claimed conflict with the Constitution of the United States. The appellate jurisdiction of the United States Supreme Court, and the jurisdiction of the inferior federal courts, shall not extend to making a judgment holding, finding or declaring a statute of the United States, or a constitutional or statutory provision, or any regulation, practice or action, of a State, invalid or unlawful because of such claimed conflict.

The energies of the multitudes embittered by *Roe v. Wade* should be addressed, not to the difficult, and all too often fruitless, search for conservative justices, but to the election of representatives and senators who will enact such legislation. This will cure not only *Roe v. Wade*, but prevent other such maladies in the future.

Do not despair of such legislative passage. After *Baker v. Carr* the late William M. Tuck, former Governor of Virginia, and the then Representative from Virginia's Fifth District, sponsored a bill taking away the Supreme Court's appellate jurisdiction over redistricting cases. The measure passed the House, failing only in the Senate. I am glad to have had a small part in that endeavor . Bless Bill Tuck's memory! He was in the Virginia tradition, and knew the meaning of self-government.

I hear the Court referred to as "the guardian of our liberties." A free society requires no such guardian. The Fourteenth Amendment, which has provided the fuel for the Supreme Court's missiles the last several decades, itself states how it is to be enforced: "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

I have disclaimed argument on any of the Supreme Court's "new laws for a new day." I will say only this: all were far-reaching, and all worked momentous changes in American government, in American society, and in the personal lives of American citizens. But the decisions of courts should affect only the parties litigant. They should be of consuming interest only to the parties litigant. That is the difference between courts and legislatures. It has become banal to quote Chief Justice Hughes, when he was governor of New York: "We are under a Constitution, but the Constitution is what the judges say it is..." It is also common to hear the Court described as "a Constitutional Convention continuously in session." But the problem is too serious to be dismissed with a quip.

Should a state, following the enactment of such a statute as I have proposed, provide that henceforth all cross-eyed or bow-legged men should be deported, the right to petition Congress exists. As Mr. Justice Frankfurter himself stated, "To the legislature no less than to courts is committed the guardianship of deeply cherished constitutional rights."

All the members of Congress take an oath to support and defend the Constitution of the United States, and so far as I know, so do all state legislators. So does the President, and so do the Governors of the States. And they have one enormous advantage over judges: All have been elected, and all have temporal limits to their authority. If the Country is dissatisfied with the manner in which the Congress responds to petitions concerning the deportation of bow-legged or cross-eyed individuals, new congressmen can be elected. The legislative enactments of such a Congress will have legitimacy. The legislative enactments of a court whose members sit for life cannot have legitimacy.

All (members of Congress) have been elected, and all have temporal limits to their authority. The legislative enactments of such a Congress will have legitimacy. The enactments of a court whose members sit for life cannot have legitimacy.

It was Bismarck who was supposed to have said, "God looks after fools, drunkards, and the United States." If the legislative career of the United States Supreme Court is suffered to continue, we can only hope that His patience will not be exhausted. ☆

Southern SAMPLER

ON LIBERTY
It is harder to preserve than to obtain liberty.

— John C. Calhoun

ON LEE THE GENERAL
...undoubtedly one of the greatest, if not the greatest, soldier who ever spoke the English tongue.

— Col. G.F.R. Henderson, British Army

ON THE U.S. CONGRESS
...this common gang of cormorants and bloodsuckers, have been fattening upon the country for the past four or five years...

— President Andrew Johnson, Sept. 3, 1866

ON THE WAY THINGS ARE
Neither heaven nor earth, neither the community of saints nor that of men is organized along lines that are strictly democratic.

— Walter Sullivan

ON THE PRESS
Do not believe what you read in the newspapers.

— Woodrow Wilson, 1913.

ON STONEWALL JACKSON
He is a zealot and has stern ideas of duty.

— Charles M. Blackford, Captain, CSA.

—compiled by William Freehoff

Anguished ENGLISH

by Richard Lederer

A collection of fluffs and flubs, goofs and gaffes, boners and boo boos

The following selections are from high school English teacher Richard Lederer's book *Anguished English: An Anthology of Accidental Assaults Upon Our Language.* All are unretouched by any professional humorist.

EXCUSES, EXCUSES

"My son is under the doctor's care and should not take P.E. today," wrote a parent. "Please excuse him."

"Please excuse Mary for being absent," wrote another parent. "She was sick and I had her shot."

These drastic measures were inadvertently taken in notes written by parents to excuse their children's absences from school.

In all fairness to pupils throughout the land, I must point out that slaughtering the English language is a practice that is not limited only to students. An astonishing number of grownups blithely go about murdering the King's English without inkling that they are committing a serious crime.

If you think that today's students aren't learning all they should, check out some of the writing miscreated by their moms and dads. The following are actual excuse notes received by teachers:

- Chris will not be in school cus he has an acre in his side.
- Please excuse Ray Friday from school. He has very loose vowels.
- Please excuse Tom for being absent yesterday. He had diarrhea and his boots leak.
- Please excuse Jimmy for being. It was his father's fault.
- I kept Billie home because she had to go to Christmas shopping because I don't know what size she wear.
- Please excuse Harriet for missing school yesterday. We forgot to get the Sunday paper off the porch, and when we found it Monday, we thought it was Sunday.
- Please excuse my son's tardiness. I forgot to wake him up and I did not find him till I started making the beds.
- Please excuse Mary from being absent yesterday. She was in bed with Gramps.
- Maryann was absent December 11–16, because she had a fever, sore throat, headache, and upset stomach. Her sister was also sick, fever and sore throat, her brother had a low grade fever and ached all over. I wasn't the best either, sore throat and fever. There must be the flu going around school, her father even got hot last night.

Anguished English **is published in the South by Wyrick and Co., 12 Exchange Street, Charleston, SC 29402.**

The Timeless Andrew Lytle

by Andrew Baird

A Review of:
Kristin: A Reading
by Andrew Lytle. University of Missouri Press, 1992

Great works of art deserve great interpreters, and Sigfrid Undset's 1920 three-part masterpiece, *Kristin Lavransdatter*, has one of the first order in Southern critic, essayist, and novelist, Andrew Lytle. In his *Kristin*, Mr. Lytle, by means of patient, penetrating investigation of the text (Undset's life circumstances as a writer, and even her name, go completely unmentioned in Lytle's book) supports what Lytle has long contended: that *Kristin Lavransdatter* ranks in significance with Tolstoy's *War and Peace* as a work of fiction, and perhaps is unexcelled as a work of historical fiction.

In Thomas Carlson's fine introduction to *Kristin*, Lytle is quoted as saying that compared to *War and Peace*, only one other story, *Kristin Lavransdatter*, "allows the reader to experience so fully the variety and complexities of private and public action."

First—as is the case in Tolstoy's gigantic novel—the action of *Kristin Lavransdatter* reconstructs, and breathes life into, an entire society: thirteenth and fourteenth century Norway not long after it has become Christianized. This process occurs as a result of Viking incursions into Christian areas of England. Viking leaders were defeated at the hands of England's King Alred, who often forced their conversion. This set the stage for Christianity's foothold among the Scandinavians, in Lytle's words, "the last pagans in Europe."

Key aspects of the novel include the protagonist Kristin's relationship with two men: her father and her husband. Kristin's father is Lavrans, lord of the manor at Jorundgaar in the upper lands of Sil and a man without male heirs, having lost three sons older than Kristin.

Lytle states that,

> The peace and well-being of the family and attendants depended on the father and head. The cross was the emblem for the family, Christian and wellborn. This family as single unit, with kith and kin, represented the basic order of society. Obedience to the father was expected of all. Permission to marry and arrangement were an important duty of his ... Jorundgaar, with Lavrans as its head, stood forth as a model of Christian manor.

Unfortunately, Lavrans is not perfect, but "near-perfect", according to Lytle. His reign at Jorundgaar is complicated by his relationship with his wife and Kristin's mother, Ragnfrid. Ragnfrid is the daughter of a powerful Norwegian landowner and inherits Jorundgaar in 1306. Because she is "heavy mooded," perhaps over the loss of children, Lavrans leaves his own estate and moves with her to Jorundgaar so that she might be closer to her kin. Ragnfrid suffers numerous character flaws, and her marriage to Lavrans, at least from the standpoint of romantic love, is not especially happy.

In Lytle's reading,

> That [Ragnfrid's] sins brought bad luck to the manor was due to pride . . . At the same time, she suffered because of her husband's failure of love. She accepted the daughter's love for father so fully that she refused to recognize the need for the close love of mother and daughter. . . And a discipline only a mother could give . . . Lat-

er . . . she asked Lavrans why he did not show his true love for her in some way, beating her even. His answer was that he reminded himself of how many times he had betrayed Christ. In human terms, he is as selfish as she. Another way to put it: he let his public image intrude on and damage the private mores of the family.

Out of these deficient familiar relations emerges the central motif of the novel, which Lytle describes as the daughter Kristin's "inordinate passion, destructive of all laws and customs which make for peace and ease of domestic tranquility and particular safety."

A latent rebelliousness in Kristin's nature is evident during an expedition into the wilderness, led by her father Lavrans. Kristin wanders away from the sleeping men of the party. She finds a pool and kneels there to see if she looks like her father. Note, her father; not her mother. Suddenly, a woman's face appears in the pool beside hers. She is standing behind Kristin, staring. When Kristin turns around, the woman disappears. In thirteenth and fourteenth century Norway, the pagan gods maintain their vitality, and Lavrans and his fellow sojourners decide that Kristin has had a near-brush with the elf-maiden, who would later try to steal her away. At first, Kristin is scared of the encounter. Later, she begins to find the danger of it attractive.

Throughout Kristin, Lytle emphasizes a duality: the Christian world set against the heathen world, and, by extension, our own secular condition. In his words, "Today we take the world as the end of all our action, our reward or our bane. To the Christians of Norway, it was the ground for the drama of the soul, salvation or damnation."

Rejecting the first man to whom Lavrans seeks to engage her, Kristin is wooed by another nobleman, Erlend Nikulausson of Husaby, and goes to bed with him premaritally. In the process of sullied courtship, she and Erlend drive one of his paramours Eline Orsmdatter — with whom Erlend had two children — to suicide (in fairness, it should be mentioned that Eline tries to poison Kristin.) "We threatened her till she did it," says Kristin.

Lavrans breaks down and finally gives consent to Erlend's and Kristin's marriage. To his sorrow, he discovers on the night of the ceremony that Erlend and Kristin have long been lovers.

Erlend and Kristin move to Husaby and, over the next fifteen years, have children, seven sons. Erlend then loses his manor through political misfortune, and he and Kristin are forced to return to Jorundgaar. Kristin is harsh in never letting her husband forget that this is not the way life should be. They quarrel over the administration of the estate, and, significantly, it is he that leaves Jorundgaar for a mountain farm at Haugen.

In an attempt at reconciliation, Kristin visits Erlend at Haugen and conceives another child by him. But the reconciliation fails. Erlend remains at Haugen, and the child dies three months after it is born. Erlend later dies in a scuffle concerning an accusation of adultery launched unfairly against Kristin. Another son Munan later dies also. Kristin leaves Jorundgaar to another son and his wife, and in 1347 enters a convent at Nidaros.

Kristin's earthly journey is full of wrong turns and distress. Yet, at the end of her life, she experiences an epiphany and realizes God's saving grace through belief and self-sacrifice. It is also noteworthy to mention that four years after *Kristinlavransdatter* was published. Sigfrid Undset herself became a convert. The conversion was years in coming, according to Undset, and in part stemmed from her reaction to the terrifying disorder, in politics and ideas, that surrounded World War One.

The war and the years afterward, she says, "confirmed the doubts I always had had about the ideas I was brought up on — I felt that liberalism, feminism, nationalism, socialism, pacifism would not work, because they refused to consider human nature as it really is. Instead, they presupposed that mankind was to 'progress' into something else — towards their own ideas of what people ought to be. Being fostered on pre-history and history, I did not much believe in progress. An accumulation of experience and expanding knowledge does not improve man's intellect or moral qualities, even if it ought to improve his ways of using his intellect and solving his moral problems . . . They seemed to know the true explanation of man's undying hunger for happiness — his tragically insufficient love of peace, justice, and goodwill to his fellowmen, his everlasting fall from grace."

In all his work, including *Kristin*, Andrew Lytle also casts doubt on the perfectibility of man. Some of Erlend's, and Kristin's temporal troubles are caused by shifts in Nordic economic order from a feudal allegiances to absentee ownership and the rise of a commercial class. But Lytle seems to argue that men and women of good faith can find ways to adjust such changes, without compromising the basic love and affection they owe each other, or the basic devotion they owe God.

Indeed, by remaining faithful, they help redirect society back toward order. Lytle believes Erelend's and Kristin's problems go

Continued on Page 53

The Will to Power

by Paul Gottfried

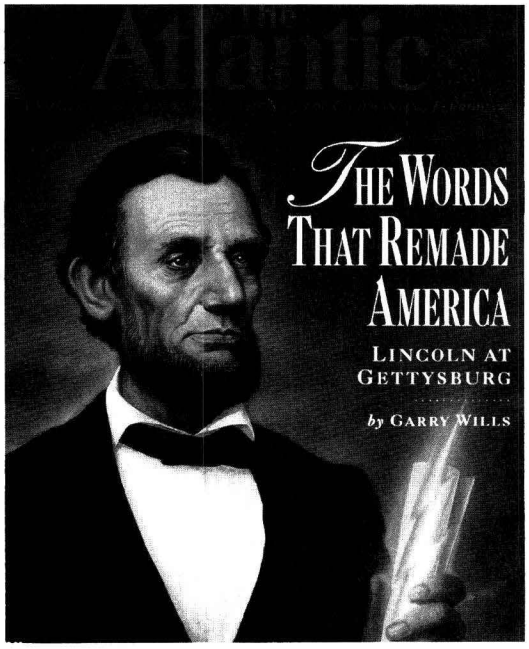
A Review of:
Lincoln At Gettysburg: The Words That Remade America
by Gary Wills
Simon & Schuster, 1992, 317 pages, $23.00

In Gary Wills's newest book we encounter an argument that both fans and critics of Harry V. Jaffa have heard for years, that Abraham Lincoln viewed the War between the States—a.k.a. the Civil War—as the necessary, purifying rite of passage for the American nation. From the carnage Lincoln hoped to move toward reconstructing a reunited America in accordance with the vision that he had thought animated the Declaration of Independence. Lincoln, as understood by this received tradition, equated the Declaration with the appeal to universal equality he found in the invocation of natural right by the Declaration's author Thomas Jefferson. Because an older America under its constitution had permitted and even protected slavery, it had failed to live up to its moral potential. But the Civil War, for Lincoln, had opened the door to a new social and political prospect, which he outlined in the Gettysburg Address. America was now to be refounded on the proposition that "All men are created equal" and be given institutions appropriate for a nation thus conceived — or reconceived.

Nothing in Wills's interpretation of this far-reaching national agenda should seem at all novel to readers of this magazine or to most liberals and neoconservatives who celebrate the rebuilding plans at least implicit in Lincoln's oratory. Agreement on Lincoln's revolutionary undertaking can be seen in the thirty-year controversy between Harry Jaffa and M. E. Bradford, while much of Wills's moralizing about America's second founding was aired in the TV series on the Civil War prepared by Kenneth Burns. It is hard to see what Wills is contributing to an understanding or even defense of Lincoln which has not been said before. Except for his eloquent and obsessive enthusiasm for the mission he ascribes to his hero, there is nothing distinctive about Wills's treatment of his subject — and there is nothing obvious to explain the tedious excerpt from his book published in the June issue of *Atlantic Monthly*. Unfortunately Wills fails to give credit where due. He mentions Harry Jaffa, whose ideas and rhetoric he has cribbed, only once; and he dismisses Bradford and Willmoore Kendall as "suicidally frank conservatives" for anticipating his argument without adding the proper ideological spin.

Like earlier and more scholarly writers on the subject, Wills argues confidently that Lincoln was out to reconstruct America. The Civil War and the oratorical oppor-

tunities it provided fitted in the project that Lincoln had already devised before the firing of guns at Sumter had begun. While it is possible to find hints of the Gettysburg Address in the Lincoln-Douglas Debates of 1858, Lincoln before 1860, as Bradford has shown even while insisting on thematic consistencies in Lincoln's speeches, had not been an Abolitionist. He had been in fact a racialist who had intermittently courted Abolitionist support. Lincoln, had, however, been a consistent Unionist, and once embroiled with the secessionist South he may have tried to elevate a brutal act of invasion by investing it with high purpose. By turning the war from a bloody mopping-up operation to a human rights crusade, Lincoln was hoping to seize the moral high ground from Southerners then defending their homes and families. His strategy worked in the short as well as long run, judging by the pro-Union sympathies of the nineteenth-century European Left to America's great intestinal struggle. But whatever may have been the public relations value of Lincoln's speeches beyond the hostile journalists he faced and sometimes silenced, it is far from clear that their author was the doctrinaire global democrat depicted by Jaffa-Wills. Lincoln may have been groping for a noble reason to justify an ugly war. If so, he was neither the first nor the last politician to do so.



In showcasing *Lincoln at Gettysburg*, *Atlantic* is being true to form, reprising the outrageously stale as inspired truth.

Significantly the image of Lincoln perpetuated by Wills, that of a high minded trickster, raises moral questions of its own. By what right, other than appeals to his own prophetic destiny, did the Great Emancipator set out to reconstruct the historical and legal basis of American nationhood? Wills may be right that M. E. Bradford is suicidal to pose such a question, but if one accepts the view of Lincoln presented by both, there are compelling reasons to consider Lincoln dishonest and megalomaniacal. Though Wills chuckles incessantly at what a clever trick Lincoln came up with, substituting his own privileged reading of the Declaration for a constitutional understanding of the American federal union, he also insists that we should rejoice over the trick. Only bigots and troglodytes would object to a progressive lie. By the end of the book we are expected to applaud both the trick and the trickster, recognizing how much they contributed to the therapeutic, managerial state under which we now live. Without Wills's Lincoln, moreover, America might have remained something presumably despicable, a country without a moral mission to spread equality at home and abroad.

Permit me to speculate as to why Wills's book is receiving so much attention. It affirms a public orthodoxy embraced by liberals and neoconservatives (which by now may be a difference without a distinction), and indeed by all intellectuals "except" suicidally frank conservatives" who cling to notions of limited government and strong communities. It is not surprising that *Atlantic Monthly* should make the presentation of Will's argument its feature article for June or decorate its cover with a picture of Lincoln and a plug for Wills's book. The editors of *Atlantic* are there to educate and that mission requires that they instruct the upwardly mobile in conventional liberal thinking. Occasionally they may do more, as by publishing Dinesh D'Souza's politically correct attack on political correctness. But what these dogmatists would never do is to be truly provocative: Better to repackage liberal bromides for the sake of public edification than allow suicidally frank commentary by those seeking to corrupt the young. In showcasing *Lincoln at Gettysburg*, *Atlantic* is being true to form, reprising the outrageously stale as inspired truth. This will undoubtedly continue to happen, unless people on our side get back into the political and cultural conversation: that is, are able to control influential magazines and publishing houses. Until that happens, we shall have to resign ourselves to seeing other examples of liberal banality celebrated by the prestige press. ☆

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Reasonable Experience

by John S. Baker, Jr.

A Review of:
Against The Barbarians
by M.E. Bradford
Universtiy of Missouri Press, 1992, 245 pages, $37.50.

"[I]n the social realm dialectic unaided by rhetoric is subversive."
—Richard M. Weaver

Anyone acquainted with the thought of M.E. Bradford knows of his deep distrust of "abstract reason." Dr. Bradford is fond of an aphorism spoken by John Dickinson of Delaware at the Constitutional Convention: "Experience must be our only guide. Reason may mislead us." This theme runs through his latest collection of essays, *Against the Barbarians*: "We reason at our best when we keep dialectics [abstract reasoning on the basis of propositions] to a minimum and treat no artifact made of words as if it were a dish served up to the gods." The irony of this statement, however, is that few dialecticians are as adept as Bradford in the art of fashioning words fit for serving up to the gods.

Reading Bradford's writing is always delightful, but reviewing his argument can be rather daunting. Rhetorician, political theorist, literary critic and historian, our author surveys the landscape through a wide angle lens. His approach is panoramic in scope as to subject matter, while each essay focuses extensively on particular detail to explain his views. He is a storyteller of the old order who instructs while charming. As a result, a dialectically-inclined reviewer such as this one finds little to analyze and too much to recount. Nevertheless I begin by observing that Dr. Bradford has written more than what appear to be only loosely related essays. He has an overriding purpose — attacking those influences in the academy "hostil[e] to the permanent things"— although the relationship between that purpose and some of the supporting articles is not self-evident. For Bradford, it seems, the best line of argument is not the shortest distance between two points. Rather, his conclusions flow from "a firm grounding in the concrete, 'messy' details of human experience."

The irregular organization of the essays allows for lots of "messy details." The four sections of the book lack symmetry of subject matter, length, or any other apparent organizing feature. The first section includes seven essays devoted to literature, mostly Southern letters. The second section contains a single essay on the debates during Ratification of the Constitution. In the next section Bradford continues what he began in a previous book, his biographical sketches of the "Fathers." This section relates back to the prior one because the biographical studies survey the leaders in each of the state ratification fights. The final section contains three essays, only two of which appear to be related to the section heading, "And the War Came."

The leap from literature to constitutional law in sections one and two is not so great as might be supposed. The blessings of liberty spring from below where they are rooted in the just-described attitude toward life which respects the given order. The lone essay, "The Authoritative Contribution: A Reading of the Ratification Debates," argues that the consensus among those who ratified the Constitution should control its interpretation by courts. Often when others make this argument they assume or imply that a single intention among the various ratifying conventions is discernable. Bradford does not make this mistake and quite correctly acknowledges the great "variety [which] produced thirteen very distinctive ratifications." In the Ratification "conversation" between Federalists and Antifederalists, the Federalists had a fairly coherent agenda, but Antifederalism generally "took on a local coloring, producing larger differences than found among Federalists."

Bradford argues for the most limited form of federalism as that to which the Antifederalissts forced the Federalists to agree, evidenced in the arguments made during Ratification. Support for this argument continues in the next section, "Fathers," which sketches the leaders in the state Ratification fights.

The biography and constitutional history support Bradford's endorsement of an "interpretivist" jurisprudence. As Bradford says,

"The story of this process is of far more than antiquarian interest—that is, if we believe, with interpretivist jurisprudence, that 'the intent of the lawgiver is the law' and that true precedent is principle." Interpretivist jurisprudence, also known as "originalism," takes various forms but all concur in the conviction that the intent of the Framers is controlling. "Noninterpretivists," on the other hand, have liberated themselves from the constraints of the text and history and look to other sources for the meaning of the Constitution. Among interpretivists major differences do exist, such as the issue of which intent is controlling, i.e., which original intent should be followed if the ratifiers' belief in what the document said conflicts with what the text actually says. Noninterpretivists often contend that no single intent among the several ratifiying states can be determined. Bradford avoids this objection by recognizing the previously discussed diversity among the ratifying states and by focusing on the areas of consensus. Nevertheless, the question remains as to whether a consensus on general principles controls when it differs from the meaning of particular words clearly expressed in the language of the text. Bradford's discussion does not dissect such intricate questions of constitutional interpretation and understandably so. Nevertheless, it sets forth the startling conclusion that the intent of the Antifederalists, namely those who actually opposed the Constitution, should control constitutional interpretation.

"The Antifederalists had their great victory in the way they forced the Federalists to present the Constitution. For theirs is the version of the fundamental law which should *legally* bind us — the one which gathered a supporting consensus." (emphasis added).

Dr. Bradford would have done well to limit his prescription to the political sphere. It is one thing to say that Congress ought to approach the Constitution in the spirit of Antifederalist-Federalist consensus found in the Ratifying Conventions. It is a very different matter to argue that if Congress does not do so, yet acts within the Constitution's textual limitations, the federal courts should declare such legislation violates the Constitution. We do well to remember that throughout much of nineteenth and the early part of the twentieth centuries, Supreme Court justices who tried to protect state interests by reading into the Constitution intents which were at odds with the text all too often actually advanced the nationalization of power. The true tradition of this country does blend the Federalist and Antifederalist positions, producing a mild Federalism. If that is not what governs us, and it is not, the fault lies not only with the federal courts. The finger of blame must also be pointed at governors, senators, and representatives—including many from the South—who have garnered as much as possible from the federal treasury for their "sovereign states." "States' rights" advocates may have argued in court against the expansion of federal regulation through Congress' use of the commerce power, but elected Southern officials have actually caused more damage to federalism by increasing Congress' control over the states through the spending power. Indeed, the penultimate essay profiles unfavorably the archetypical figure of this Southern liberalism, Lyndon Johnson, as a man of "ambition, unattached to any recognizable principle of government or political morality."

The essay on Lyndon Johnson appears at first to be misplaced in the last section of three essays, "And the War Came." However, the inclusion of this essay along with the first essay which praises Southern senators from the seceding states in 1860-61 ("A long Farewell to Union") and the third which condemns Abraham Lincoln makes a connected argument. Bradford praises the speeches of Southern senators as "prescient . . . in predicting what would happen once they had departed from the protections of the Union as it was, the Constitution as it was."(215) In the third and conluding essay, Bradford continues his long-running attack on Lincoln, characterizing his rhetoric as the "language of hate and fear." Dr. Bradford is indicting Lincoln for his "Puritan rhetoric" and the politics it produced as destructive to the Republic. Bradford points to Lyndon Johnson as the product of a decline in constitutional principles and personal character which Bradford attributes to Lincoln. Bradford leads into the essay on Lincoln with this closing sentence in the essay on Lyndon Johnson:

"With so much laid down as a predicate, now let Caro give us the rest of the story, of the usurper legitimized and then enthroned."(228)

Much of what Bradford writes in the essays on the Southern senators of 1860-61 and Lincoln rests on premises about constitutionalism which I have questioned above. Bradford's "view from the South" does not make the best Southern conservative argument against liberalism.

Indeed, the kind of argument which Dr. Bradford very much favors, the argument from "circumstance," actually advances the cause of liberalism. As the name suggests, an argument from circumstance looks to the surrounding facts to dictate a decision. The late Richard Weaver, rhetorical theorist and defender of traditional South-

Continued on Page 53

BookNotes

THE CONSERVATIVE CRACKUP
by R. Emmett Tyrrell, Jr.
Simon & Schuster, 319 pages, $23.00.

Just as the collapse of the New Deal liberalism in the 1960s produced volumes of thoughtful commentary so should the present crisis of modern-day conservatism. R. Emmett Tyrrell's book isn't the first study of this development and it isn't likely to be the last.

In Tyrrell's view, a "crackup" happened because conservatives don't like political activism; they shy away from coalition building; and they prefer the comforts of home and hearth to the political circus in Washington, D.C. — a show that the author, a long time resident of Bloomington, Indiana, has now voluntarily joined.

Mr. Tyrrell attacks a number of prominent conservatives, including paleocon hero Russell Kirk, for being insufficiently active in Beltway politics or for inspiring a gloomy world view that discourages activism. This is the worst part of the book. It is galling to see such scholarly defenders of our Western heritage attacked as "fuddy-duddies" by a journalist who specializes in quips and wisecracks and brags about his luncheons with presidents, past and present. Plus, Mr. Tyrrell is plain wrong about the intended effect of Kirk's scholarship. Years ago, Mr. Kirk laid out his own ambitious program for conservatives, one that attacked all forms of modernism (including industrialism) and contended that political problems are religious and moral problems.

Mr. Tyrrell's critique also includes a misreading of Richard Weaver's *Ideas Have Consequences*. It's true that Weaver was highly critical of America's and Europe's turn to materialism but he did not despair of our recovery. His book devoted three chapters to a vigorous political counterattack based on private property, piety and justice — not fidelity to the centralized government in Washington, D.C.

As for the problem of conservatives eschewing activism, these are the folks who have been putting Mr. Tyrrell's favorite politicians in the White House for the past quarter of a century! The mission of conservatives who do enjoy politics is what it should be, to drastically reduce Washington's domestic influence beyond the Potomac and to mean what they say about "empowerment" by giving home and hearth conservatives a chance to self-govern the affairs of their own communities — with no federal strings attached.

Mr. Tyrrell approvingly notes that Washington's bureaucracies are increasingly staffed by conservatives who followed Ronald Reagan into Washington during the 1980s. But this may not be the victory he thinks it is. When Ronald Reagan began his short-lived crusade against big government by seeking to abolish the Department of Education and Department of Energy, we were on the right track. But even Republican lawmakers opposed such drastic moves. Now Beltway conservatives have given up such grandiose plans and seem content to only tinker with the welfare state. Conservatives still maintain that limited government is the backbone of their movement—even George Bush says government is too big. But too often they have been satisfied with merely reducing the *growth* of spending,—which means spending, government interference and, eventually the tax burden—keeps increasing.

That is why home and hearth conservatives are so unhappy with the state of the union. They have been voting for conservative presidents for over a decade now and instead of less government intervention, they have been getting more of the same Great Society style big government: Their public schools have remained under federal control; their taxes are routinely raised by Republican and Democratic administrations; their borders are not sufficiently protected from illegal aliens and drug kingpins; and they don't even have key moral issues like school prayer and abortion—issues that once sent voters out of their town and hollows and into the voting booths in droves—being decided on the state level.

Mr. Tyrrell's own conservative crack-up finally reveals itself on the book's final pages.

Agreeing with several liberal commentators that the old differences between liberals and conservatives no longer exist, Mr. Tyrrell calls for a grand coalition of Beltway liberals and Beltway conservatives to come together and solve the nation's problems.

The author approvingly notes that: "today's conservatives are different from earlier conservatives." Later on, he explains: "Today's conservative has renounced has reverence for the balanced budget . . . welfare is no longer so abhorrent to the 1990s conservatives as it was in the 1950s...conservatives of the present are not carbon copies of conservatives of the past. That should make them easier for Liberals to work with."

Exactly. When you've foresworn the old conservatism in favor of what sounds like the liberal-

ism of the 1950s and early '60s, then it ought to be easy to work with liberals. Looking back on the steady growth of government and the rapid deterioration of our quality of life, one might conclude that the big government coalition between Beltway liberals and Beltway conservatives has already been in the works for years.

Indeed, the 1980s may also be remembered as the decade when conservatives went to Washington and discovered the joys of big government. Far from being an enemy, big government can be your friend. It can win you steady work in the bureaucracy; as conservatives such as Jack Kemp use their cabinet positions to increase the size of the leviathan state. As long as "big government conservative" continues to be the rule of the movement, then Mr. Tyrrell and his colleagues can no longer be considered worthy heirs to the conservative tradition. We need a new generation of conservatives to go to Washington, D.C. to roll back the excesses of the welfare state and teach that city a lesson in humility. Right now, Mr. Tyrrell and his friends are part of the problem.

—Joseph Scotchie

THE FIRE-EATERS
by Eric H. Walther.
LSU Press, 1992, 304 pages, $39.95.

The "fire-eaters" were a small group of Southern journalists, professors, and politicians whose vigorous arguments gave intellectual defense of the Southern way of life. Beginning in the late 1820s, the "fire-eaters" appealed to Southerners to emulate the nation's Founding Fathers and throw off an oppressive government by seceding from the Union. "We shall fire the Southern heart" against the "imaginary evils" of secession, wrote one fervent "fire-eater."

Eric Walther has recounted the lives of nine prominent "fire-eaters": James D. B. De Bow, a journalist who argued for Southern self-sufficiency; Beverly Tucker, professor of law; John A. Quitman, Mississippi governor; William Lowndes Yancey, "the prince of the fire-eaters" and considered the greatest public speaker in the South since Patrick Henry; Robert Barnwell Rhett, a consummate political pragmatist and tactician; Laurence Keitt and Louis Wigfall, who served in Congress; Edmund Ruffin, farmer and journalist; and William Porcher Miles, professor and politician.

To the "Fire-eaters," the sectional conflict between North and South presented the Southern states with a clear choice: destruction of the Southern way of life or dissolution of the Union. Trapped in a Union with a culture that taxed her cotton and denigrated her traditions, the South faced submission or secession. Southern rights would be secured only after secession and creation of a Southern Confederacy. The North had neither an understanding of Southern institutions nor a right to interfere with them. As Laurence Keitt observed: "A whole world lies between the North and the South, both upon the question of slavery and the character of the government."

The "fire-eaters" foresaw the Southern Confederacy expanding south to Brazil and west to California. They argued for state support of banks and railroads, the right of married women to own property, reform of the penal code and prison system, and most important to the "fire-eaters," state funding of public schools and colleges. "The South should take charge of her own sons," wrote De Bow, "and not trust them to the tender keeping and instructions of those who are hostile to the interests which these sons are hereafter to maintain."

Eric Walther allows the "fire-eaters" to speak for themselves by quoting from their vivid letters, speeches, and writings. This book is indispensable to an understanding of the decades that led to disunion and war.

—Bryant Burroughs

WINDFALL: THE END OF THE AFFAIR
by William F. Buckley, Jr.
Random House, 1992, 296 pages.

For nearly four decades William F. Buckley has been the intellectual leader of American political conservatives. *National Review*, the biweekly journal of politics and culture founded by Buckley in 1955, nurtured the nascent conservative movement that in time produced the presidency of Ronald Reagan. With engaging wit and brilliance, Buckley has labored to construct "a society that keeps the state at bay."

Now sixty-five years old, Buckley has retired from editing the journal that he began as a young man, and he has withdrawn from leadership of the conservative movement. In order to celebrate and contemplate "the end of the affair" with *National Review*, with politics, and eventually, with life, Buckley gathered his son and close friends for a sail across the Atlantic Ocean, a 440-miles navigation from Lisbon to Barbados.

It is his fourth transoceanic voyage. Buckley describes the sea as "the cradle of God," symbolizing for him the freedom that is intrinsic to the human spirit. Not even the terror of riding out a hurricane in a little 71-foot ketch in the mid-Atlantic can dampen the joyous passage. Buckley writes in his journal at the end of the sail: "It is what the sea does to my friends

and to me that incurs in me this felt obligation to let others in on it all, hoping that they might feel some of the balm my friends and I came home with."

Windfall is saturated with Bill Buckley's love of the sea, of freedom, of family, of friends, and of country. Its pages also reveal the human Buckley. The conservative raconteur relaxes by spending all day shooting stars with a sextant and laboring over his WhatStar navigational computer in order to plot position and course and successfully navigates 4400 miles across the Atlantic to Barbados, an island only nine miles wide. Most moving is the relationship between Buckley and his son Christopher, who affectionately call each other Pup and Christo.

But *Windfall* is also a story of beginnings. After praying in the Gomera chapel where Christopher Columbus prayed before setting out five centuries ago, Buckley followed the route of Columbus from the Old World to the New World. That brave journey marked the beginning of America, whose fierce commitment to freedom has changed the world. It is this freedom in defense of which Buckley has spent a lifetime.

—B.B.

IN THE HANDS OF PROVIDENCE: JOSHUA L. CHAMBERLAIN AND THE AMERICAN CIVIL WAR
By Alice Rains Trulock.
UNC Press, 1992, 569 pages, $34.95.

Joshua Lawrence Chamberlain represented the best that the North had to offer: handsome, courageous, principled, and with a presence so remarkable that he, in the words of a fellow solider, "when once seen, was always remembered." Destiny led Chamberlain from Maine's Bowdoin College to a hot afternoon on Little Round Top.

On that spot the second day at Gettysburg, Chamberlain and the 386 men of the Twentieth Maine were ordered to "hold the ground at all hazards." The Fifteenth Alabama attacked in the Confederate attempt to turn the Federal left flank. For two desperate hours, men from Maine and Alabama fired at each other from within ten paces and grappled hand-to-hand. Finally, with the Twentieth Maine out of bullets, out-numbered, and one-third its men dead or wounded, Chamberlain ordered a bayonet charge that won the fight and earned Chamberlain a Medal of Honor.

Alice Rains Trulock has written the biography that Lawrence Chamberlain deserves. She combines the writing style of a novelist with a historian's interest in first-hand quotations from diaries, letters, and writings. This large book includes 133 pages of notes.

—B.B.

LEE'S COLONELS: A BIOGRAPHICAL REGISTER OF THE FIELD OFFICERS OF THE ARMY OF NORTHERN VIRGINIA
by Robert K. Crick.
Morningside, 1992, 520 pages, $26.50.

In its desperate four-year fight against overwhelming numbers of Union men and materials, the South sacrificed the best of a generation. Many of these heroes are listed in *Lee's Colonels*. In this fourth revision of the original 1978 edition, battlefield historian Robert Krick has labored to collect biographical information on the 1,968 field-grade officers of the line—majors, lieutenant colonels, and colonels—of all units that served with the Army of Northern Virginia.

One in four was lost during the war, and each page of this book recalls battlesites etched in blood on Confederate regimental battleflags: Malvern Hill, Seven Pines, Sharpsburg, Chancellorsville, Gettysburg, Spotsylvania. The few lines for each officer can only hint at the life behind each name, and the starkness of those lines often evokes tears: "Killed in action at Sharpsburg"; "Mortally wounded in action at Gettysburg (shot through jaws)"; "Mortally wounded in action near Zoan Church near Chancellorsville on May 1, 1863, and died that evening."

Many of the killed lie buried in family cemeteries, proving the truth of Andrew Lytle's observation that Southerners, far more than Northerners, consider to be very important the question, "Where do you bury?" Southern families do not allow their sons to rest far from home in the land of strangers.

Crick has included an appendix that lists 3,510 Confederate field officers who did not serve with the Army of Northern Virginia, and he appeals for another researcher to compile a biographical register of the several thousand Confederate staff officers.

—B.B.

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Continued from Page 45

far deeper, and deal with the poison of human pride. It is this pride which frustrates the quest for wholeness in society, which can only be fabricated out of sound families, and more particularly, sound marriages.

In his well known essay, "The Working Novelist and the Myth-making Process", Lytle argues that mythically

> Adam and Eve's expulsion from the earthly paradise seemed to put them into the disorder of chaos. Actually, they were confronted by the natural order which was a multiplicity of the conflicts of opposites. This is not chaos but life as we suffer it, and we fall into it as the child falls into the world. Continuance depended upon the exercise of the will and especially the crafts, not only to survive but to try to restore, to bring together the two halves which make a whole. Together, man and woman serve as the basic symbol for the life drama. How old is the sentence we hear every day, "This is my better half."

At the end of Undset's novel, Kristin's senses that her soul is being brought into alignment with God's intentions, even though the knowledge she has gained comes too late to rectify affairs with Erlend — he is dead — or even to restore peace and order at Jorundgaar — she has left it. Instead, it manifests itself in Kristin's rescue of a prostitute's child, who was to have been sacrificed alive to placate Hel, the plague goddess. Later, Kristin will go to the home of the prostitute — who has died of plague — and give her body a proper burial. She also removes her wedding ring to pay for masses to be said for the whore.

At Lytle states, "Although this was mystery she could not fathom, the mark of the ring on her finger would be there when she died. And she was glad. She felt without knowing why that God had held her fast in a covenant made for her without her knowledge by a love poured upon her constantly." In his *Kristin*, Lytle thus argues for the permanence of grace despite mortal circumstances, often tragic. Certainly, it is this sense of permanence that informs Undset's entire novel and underlies her supreme artistry. As Lytle demonstrates superbly, Undset convinces us that Kristin's redemption — after a lifetime of stubbornly trying to make the world conform to her will — is testimony that hope is forever held out to all by God. ☆

Andrew Baird is a writer and reporter for the Voice of America in Washington, D.C.

Continued from Page 49

ern ways, has faulted this form of argument. In *The Ethics of Rhetoric* Weaver characterizes the argument as the nearest to "purest expediency," "the argument philosophically appropriate to the liberal." Indeed, he says "one may go further and say it is the argument fatal to conservatism."

Many traditionalist Americans who have thought and argued in terms of circumstance have nevertheless not themselves been transformed by their "liberal" rhetoric due to the influence of their belief in Chistianity. But they often wonder why traditional beliefs and practices of the society have eroded. An essay earlier in the book, "The Festive Spirit of Andrew Lytle," attests to the failure of prominent traditionalists to appreciate fully their own circumstances—until the conditions they cherish have changed.

> The Agrarians, Lytle concluded, had not communicated their sense of urgency to the audience that they addressed in the 1930s *because very few then 'could imagine the world they were born in, had lived in, and were still living in could disappear. . . .* Of course, as Southerners could remember in 1930, there had been a time before the country betrayed itself out of the delusion of progress and the dream of the protective state; a time when men and women knew who and what they were through long tenure in a fixed place and through common recollections. *They belonged to a corporate order we once called Christendom.'* (emphasis added)

A defense of traditional ways that rests primarily on arguments from circumstance is doomed simply because circumstances are constantly changing. More than memory is required to maintain a sense of obligation to respect ways rooted in history, i.e. prior circumstances. Many who thought that individual attachment to Christianity was sufficient have realized that resistance to assaults against traditionalism requires a public philosophy capable of explaining the reasons for beliefs not based on reason. The defense of traditional beliefs "against the barbarians" requires rhetoric rooted in philosophic reason. As Richard Weaver has also written, "States and societies cannot be secure unless there is in their public expression a partnership of dialectic and rhetoric." ☆

John S. Baker, Jr. is a professor of law at Louisiana State University Law Center.

The Smoke Never Clears

by Rod Gragg

35 DAYS TO GETTYSBURG: The Campaign Diaries of Two American Enemies.
By Mark Nesbitt.
Stackpole Books (Box 1831, Harrisburg, PA 17105), 208 pages, $16.95.

Gettysburg expert Mark Nesbitt uses the diaries of two soldiers— one Northern, one Southern—to present a moving, personal account of soldier life in the War Between the States. Thomas Lewis Ware of the 15th Georgia Infantry and Franklin Horner of the 12th Pennsylvania Infantry are both headed unknowingly to the gallantry and carnage of Gettysburg. One will survive, the other will die. The book contains interesting modern photos of historical sites and poorly reproduced maps. The battle of Gettysburg is merely the stage for the two-man act unfolding in this book. Nesbitt weaves an informative narrative around the diary entries, but the power of this work lies in the words of the two soldiers, recorded as each moves toward his destiny in battle.

THE BATTLE OF PEA RIDGE.
By William L. Shea and Earl J. Hess.
UNC Press, 432 pages, $29.95.

One of the most important battles in the Trans–Mississippi West, the Battle of Pea Ridge, has been strangely overlooked by historians. Now UNC Press, emerging as a leading publisher of works on the War, has released what will probably become the definitive study of this important Western engagement. Historians Earl Hess and William Shea provide ample background and context for the bloody Arkansas battle, follow the action in detail and conclude with an analysis of the battle's influence on the War. At 432 pages, the book may run a bit long, but the narrative moves rather briskly and the book is a handsomely-crafted product. It contains a comprehensive bibliography and is the obvious result of an immense amount of professional research and analysis.

BLOOD BROTHERS:
A Short History of the Civil War.
By Frank Vandiver.
Texas A&M Press, 209 pages, $24.50 in cloth, $10.95 in paper.

Historian Frank Vandiver, author of *Mighty Stonewall* and *Their Tattered Flags*, has crafted a concise, readable and insightful one-volume history of the War. It is classic Vandiver: well written, memorable and sometimes provocative. Few historians know the War like Vandiver. He plunges into the subject with a thoughtful, comprehensive approach that addresses almost all the issues, all the controversies, all the history with both scope and brevity. There is something here for every reader to cherish, something for every reader to challenge. And there are also a few inconsistencies. (He recognizes the fact that Confederate leadership was driven by a vision of Southern nationhood, not a permanent defense of slavery, yet he also describes the Lost Cause as a "myth.") Regardless of debatable topics, Vandiver has produced in *Blood Brothers* a worthy survey of the War suitable for introduction or reflection.

CHANCELLORSVILLE 1863:
The Souls of the Brave.
By Ernest Furgurson.
Alfred Knopf, 405 pages, $25.00.

It may be argued that Chancellorsville, not Gettysburg, was the real highwater mark of the Confederacy. The importance, the drama and the tragedy of that remarkable Southern victory are faithfully reported with rare eloquence in this impressive new work. A professional journalist, an ex-Marine and a descendant of Confederate soldiers, author Ernest Furguson has studied Chancelorsville for most of his life. The result of his attention to the battle is a retelling of the Chancellorsville story that may rival John Bigelow's classic *The Campaign of Chancellorsville*. Furgurson's new work may become the new classic account of the battle. It appears to cover all the basics, adds some new information to the old story, and is surely the best-written account of all. His treatment of both sides is fair, sympathetic and incisive. Most appealing to the typical student of the war, however, is Furgurson's skill at telling the story through the experiences of the officers and soldiers who fought the battle. He knows the subject. His research seems thorough and credible. He is a superb writer. What more can we ask of a history? ☆

Rod Gragg is the author of *The Illustrated Confederate Reader* and *Confederate Goliath*, both now available in paperback.

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Volume III available Dec. 1992

Dividing Line

by Samuel Francis

In the quaint delusion that he still lives in a free country, Charlie Ochs, vice president and general manager of WMZQ, Washington's main country-western music station, refused to carry an ad sponsored by the Gay and Lesbian Activists Alliance. In the exercise of what he imagined were his rights of property and free expression, Ochs even went so far as to tell the group he wouldn't run its ad. That's when Ochs began to be disabused of his delusions.

The "activists," whose ad whines and whimpers about "hatred and intolerance," scampered upstairs to the mayor's office to whine and whimper some more and visit a bit of their love and tolerance on Ochs. Soon one of the mayor's munchkins was on the horn to him, explaining just what he could and couldn't do in the Land of the Free. One thing the munchkin told Ochs he couldn't do is decide what to run on his own station.

Och's refusal to broadcast the ad violated the District's "Human Rights Statute," and the munchkin later expatiated to *The Washington Times* on the munchkin theory of "human rights" that undergirds the law. "I don't think that anyone wants to make someone run something against their will," chirped the munchkin in a rare concession to quaint delusions, "but then again, if not doing it can be shown to be discriminatory..."

Ochs concluded that discretion was the better part of free expression. Faced with legal action by the city and its odd pals, he decided to run the ad. Well, let him live with it. People who don't defend their own rights don't deserve any, but those who take their rights more seriously had better tune in while they still have some left.

"Imagine losing your home and job," moans the ad, "being harassed and beaten. Imagine having your love called a crime...Imagine being lesbian or gay." Maybe, like most people, you'd rather not imagine that, even if, under the law, you still have to listen to it. But whatever you do, never imagine that the "hate crimes" and "human rights" posse will let real rights stand in the way of its power trip. The whole purpose of the laws they strut behind is to make sure you know ve haf vays to make you imagine.

"Hate crime" and "human rights" laws have nothing to do with hate and human rights; they have everything to do with how the partisans of putrid political agendas can use the force of the state to break people and institutions that get in the way. Sometimes the agenda is that of "gays and lesbians"; sometimes it's that of Afro-racists or feminists or one of the other obnoxious cults and causes that lurk on college campuses, public broadcasting and inside mayor's offices. But you can bet your home and job the people whose rights will never be protected under hate crime and human rights laws are those who defend traditional institutions and beliefs.

One performer who does defend them is a country-western artist named Steve Vaus. Last June he signed a contract with RCA to turn out a song, "We Must Take America Back," an explicit defense of patriotic, prayer-in-school, tough on crime, Made-in-America traditions. According to Vaus, his song debuted on the charts at 68 and "was the most requested song at many radio stations." That was his first mistake; soon he was off the air entirely.

"RCA killed it," he says in a press statement the press has ignored. RCA, he says, "abandoned plans for a followup single, dumped his album, canceled his contract and won't allow him to use his material though they will not make it available." Vaus says his song was sailing up through the charts at smaller stations, but many big city stations refused to play it at all and complained to RCA that his message was "too conservative." Specifically, he says, they didn't much care for the lines, "We need prayer in the schools" and "When bullets and birth control outnumber books, something's wrong."

"How radical do you have to be before your free expression is defended?" demands Vaus. There he goes again with those quaint delusions about "free expression." "Is it a coincidence that I'm a white conservative Christian pro-lifer and few in the media care that I've been gagged?" Hate crime laws and human rights statutes don't seem to cover the bloodthirsty blather of Sister Souljah and Ice-T. There's plenty of media attention for them, but nobody can find time for Vaus' tunes to a different drummer.

It's no coincidence that champions of traditional beliefs like Vaus are silenced while self-pitying political poseurs use the legal power of the state to bludgeon their way into your eardrums. Maybe Ochs is content to do whatever the munchkins tell him, but if one day you turn on the radio and learn you no longer have any rights while what you believe is blacked out, don't imagine that's a coincidence either. ☆

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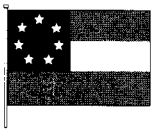

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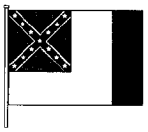

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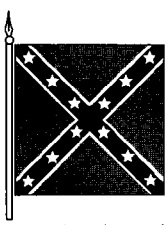

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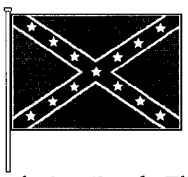

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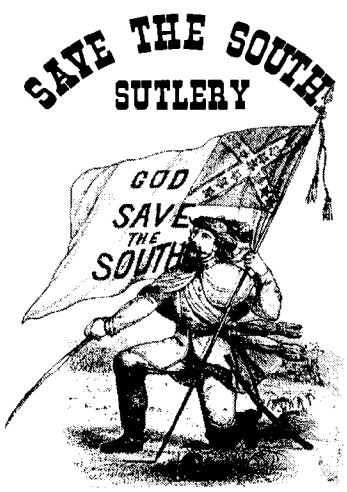

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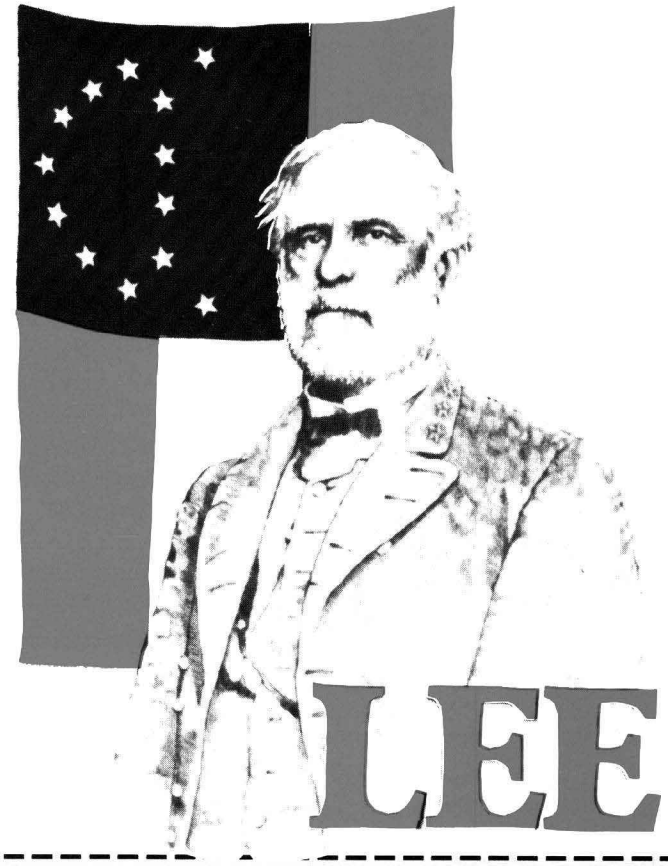

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